

PART 2

UNAUTHORIZED TRANSFERS OF NONPUBLIC INFORMATION DURING THE 1980 PRESIDENTIAL ELECTION

R E P O R T

PREPARED BY THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON
POST OFFICE AND CIVIL SERVICE

HOUSE OF REPRESENTATIVES



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APPENDIX III
AFFIDAVITS

(1071)

AFFIDAVIT OF DAVID AARON

David Aaron, being duly sworn on oath according to law, deposes and says:

1) My name is David L. Aaron. I am employed by Oppenheimer and Co. in New York City, New York. During the 1980 presidential campaign I was Deputy Assistant to the President for National Security Affairs.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) On September 4, 1980, I asked Mr. Rick Inderfurth, a staff member of the Senate Foreign Relations Committee, to undertake preparation of the President's foreign policy and national security debate briefing book. Mr. Inderfurth was a former National Security Council staff member.

4) I received a notebook containing debate background materials prepared by Denis Clift of Vice President Mondale's staff, but I cannot recall when I received them. A copy of these materials were made available to Mr. Rick Inderfurth to use in preparing the foreign policy and

national security debate briefing book. I may have asked my secretary, Lora Simkas, or Mr. Clift to have the materials copied for Mr. Inderfurth. I have no knowledge of anyone else receiving a copy of these materials or taking possession of my copy.

5) Rick Inderfurth recruited Messrs. Eric Newsom, Richard Davis, and Loch Johnson, all of the Senate Foreign Relations Committee staff, to assist in the preparation of the briefing book.

6) On September 29, 1980, Mr. Inderfurth provided me with a copy of the briefing book. I cannot recall whether Mr. Inderfurth personally 1) handed me the books; 2) left them at my office; 3) left them with my secretary; or 4) had them delivered. I also do not recall the number of copies, but I believe they were in a black binder.

7) I do not believe I had the Inderfurth briefing book copied and distributed. Nor do I recall whether my secretary, Ms. Lora Simkas, or anyone else received, copied, and/or distributed the Inderfurth book.

8) I did not receive a copy of the domestic issues debate briefing book prepared for President Carter.

9) I did provide one of the briefing books to Mr. Zbigniew Brzezinski, but I do not recall giving copies of the book to anyone else.

10) I have no knowledge as to how the debate materials were transferred outside the Carter Administration. I have not purposely withheld from the Subcommittee on Human Resources information relevant to its investigation into the possible unauthorized transfers of documents, and information during the 1980 presidential campaign.


David L. Aaron

Subscribed to and sworn before me
this 22nd day of March, 1984.


Notary

My commission expires:
1985

ELIZABETH KINGSLEY
Notary Public, State of New York
No. 43-4653463
Qualified in Richmond County
Commission Expires March 30, 1985 7

AFFIDAVIT FOR RICHARD V. ALLEN

Richard V. Allen, being duly sworn on oath according to law, deposes and says:

1) My name is Richard V. Allen. I am currently the principal officer of the Richard V. Allen Company. During the 1980 presidential campaign I was the senior foreign and defense policy advisor to Governor Reagan.

2) In connection with the investigation currently being conducted by the Human Resources of the House Post Office and Civil Service Committee, I submit this affidavit to state the true facts as I know them.

3) On October 15, 1980, I sent a memorandum to Governor Reagan and senior campaign officials William Casey, Edwin Meese and Richard Wirthlin concerning unsolicited information I had received about the possible release of the U.S. hostages in Iran (a copy of the memorandum is attached). The "unimpeachable source" referred to in this memorandum was John Wallach of the Hearst newspaper organization. Mr. Wallach had stated to me that his source for the information communicated was then-Secretary of State Edmund Muskie, whom I referred to in the memorandum as "ABC-XYZ." I did this because of the (a) apparent sensitivity of the information, and (b) because of the need to assure that the identity of the Secretary of State not be revealed were the memorandum to go astray, as it was sent by facsimile to a distant point. I communicated the identity of "ABC-XYZ" to at least one of the

receptients of the memorandum. To the best of my knowledge the Reagan-Bush campaign took no action in response to this information. I later learned that Mr. Wallach filed and published a story with essentially the same information contained in the memorandum.

4) On April 18, 1980, I wrote a letter to Governor Reagan. In that letter I referred to an attached letter from a Mr. Byers, a Foreign Service Officer. My letter contains the statements, "Please keep the letter confidential so as to protect Mr. Byers," and "My hunch is that we will get a lot more of this sort of information if we ask for it. What do you think?" I do not now have a copy of the letter from Byers, and recall nothing about its contents. During the campaign, I recall that I received a good deal of correspondence from other Foreign Service officers, and believe that such correspondence was sent as a result of my public address at the State Department, in the Secretary's Open Forum, in April, 1980. The title of my speech was "The Theory and Practice of Housecleaning , or How to Survive A Reagan Administration."

5) On two or three occasions during the 1980 presidential campaign, I was given excerpts from what were said to be the daily reports prepared for National Security Advisor Zbigniew Brzezinski. These excerpts, which contained only innocuous, unclassified information concerning NSC staff morale and work activities, were given to me by someone who stated that they had been sent from Jerry Jennings, the

Director of Security for the National Security Council. I do not recall the person who actually gave the material to me, and have not communicated with Jennings about these documents.

6) At no time during the campaign did I ask anyone at Reagan-Bush headquarters to copy any documents from the Carter Administration or the Carter-Mondale campaign.

7) During the practice sessions and briefings at Wexford for the October 28 debate, I heard someone (whose name I cannot recall) say something to the effect that David Stockman was working from President Carter's debate briefing materials. I do not know who else, if anyone, heard this remark.

8) I did not see any briefing materials designed to be used by President Carter or Vice President Mondale for campaign debates at any time during the 1980 campaign.

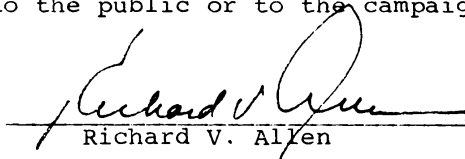
9) I do not know the origin or purpose of documents in my file sent to Belden Bell by Ray Molina. The staff of the Human Resources Subcommittee has asked whether they were prepared by or for the CIA, the DIA or any other Government agency; I know nothing about those documents beyond their contents, as my files also contain papers sent to other campaign staff. Mr. Bell was associated with the campaign as my aid. Mr. Molina, as far as I know, had no connection with the campaign.

10) An October 10, 1980 entry in my personal log (attached hereto) indicates that during a meeting of advisors Seymour Weiss provided me with information

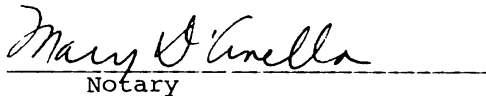
concerning planning for a second hostage rescue attempt. The question of such an occurrence was discussed regularly at the time by members of the campaign organization, but I do not know the source of this particular information. To the best of my knowledge the Reagan-Bush campaign, or individuals associated with it, took no action in response to the information or opinion reflected in that note.

11) To the best of my knowledge, I did not receive, at any time during the 1980 campaign, Federal Government information or documents that were classified or not duly authorized for public release.

12) I have no knowledge of any "intelligence operation" or any other effort on the part of the Reagan-Bush campaign that was designed to obtain from the Carter Administration before the election information that was not duly authorized for release to the public or to the campaign.


Richard V. Allen

Subscribed to and sworn before me
this 13th day of April, 1984.


Notary

My commission expires: 8-14-87

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 3, 4, and 9 are at pages 1490, 1610, and 1630, respectively.

AFFIDAVIT OF MARK A. ASHWORTH

Mark A. Ashworth, being duly sworn on oath according to law, deposes and says:

1) My name is Mark A. Ashworth. I am currently a student at Wright State University in Ohio. In the 1980 presidential campaign, I was the principal operator of the Kodak copying machine located on the fourth floor of the 1980 Reagan-Bush campaign national headquarters in Arlington, Virginia.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) On one occasion in October 1980, at the request of Emily Ford, I copied approximately 20 to 40 pages. Ford informed me that the pages were being copied for James Baker. The pages did not have the Reagan-Bush letterhead and were part of a larger package. ^{I believe} The pages were from either the Carter Administration or the 1980 Carter-Mondale campaign organization.

4) On two occasions, at the request of a woman whom I believe was named Alden Lang, and whom I believe was a secretary to James Baker, I copied pages that were from either the Carter Administration or the 1980 Carter-Mondale presidential campaign

organization. On one of these occasions I copied 40 to 50 pages for Ms. Lang. Ms. Lang informed me that the pages were being copied for James Baker. Because the type-face of the pages I copied at the request of Ms. Lang was the same as the type-face of the pages I copied at the request of Emily Ford, I believe the pages that I copied were from either the same or similar documents.

5) I also made copies, at the request of Dan Jones, of material from either the Carter Administration or the 1980 Carter-Mondale Presidential Campaign organization.

6) On one occasion, during the second or third week of October 1980, at the request of Charles Crawford, I copied approximately 60 pages. The pages were Democratic material on domestic and economic issues. The pages were from either the Carter Administration or the 1980 Carter-Mondale campaign organization.

7) During the 1980 Reagan-Bush presidential campaign, I copied approximately 20 to 25 percent of the pages included in a domestic briefing book shown to me on August 29, 1983, by staff of the House Subcommittee on Human Resources. After I identified the pages, the Subcommittee staff informed me that the domestic briefing book they showed me was the final domestic briefing book used by President Carter in his October 28, 1980 debate with Governor Reagan.

8) During the 1980 Reagan-Bush presidential campaign, I copied the entire foreign policy briefing document shown to me on August 29, 1983, by staff of the House Subcommittee on Human Resources. After I identified the document, the Subcommittee informed me that the foreign policy briefing document they showed me was the final foreign policy briefing document used by President Carter in his October 28, 1980 debate with Governor Reagan.

9) The staff of the House Subcommittee on Human Resources also showed me a set of foreign policy briefing materials, about 2 inches thick, that was different from the foreign policy briefing document referred to in item 8. I do not recall seeing that thick set of foreign policy briefing material during the 1980 Reagan-Bush presidential campaign. This material later was identified to me as being the draft of the Carter foreign policy briefing book that was released by the White House in June of 1983.

10) During the 1980 Reagan-Bush Presidential Campaign, probably in September, I copied a document, approximately 15 pages in length, with a cover page which appears identical to a page (attached hereto) shown to me by staff of the House Subcommittee on Human Resources. I do not recall

who asked me to copy the document. A numeral 5, with a circle around the numeral, was at the top of the cover page. The cover page made reference to the Iranian hostage crisis, indicated that the document was confidential, identified an author who was a consultant to the Federal Government, and indicated that the document had been presented to the Federal Government. I also copied a similar document with the numeral 3 in a circle at the top that had a cover page seemingly identical to the cover page shown me by the Subcommittee's staff that is attached to this affidavit.

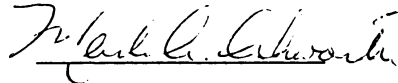
11) During the 1980 Reagan-Bush presidential campaign, I copied a document that looked similar to, and I believe was the same as, a document shown to me on August 30, 1983 by staff of the House Subcommittee on Human Resources. The document shown to me by the Subcommittee staff was several pages in length and included a comparison of Democratic and Republican platforms. I remembered distinctly the format of the document.

12) During the 1980 Reagan-Bush Presidential campaign, I copied documents on several occasions for Mr. Richard Allen. Justine Marks gave me documents to copy for other people. ~~some of which may have been provided to her by Richard Allen.~~

13) I have made all files I retained from the 1980

Presidential Campaign available to the Subcommittee for their review as requested.

14) I have no knowledge of any effort by the 1980 Reagan-Bush Presidential Campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale Presidential Campaign, material or information that had not been duly authorized to be released to the public.

Mark A. Ashworth

Subscribed to and sworn before me
this 7th day of ^{March}~~February~~, 1984.



Notary

My commission expires: 8-30-87

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraph 10 are at pages 1595 and 1572, respectively.

AFFIDAVIT OF JAMES A. BAKER III

James A. Baker III, being duly sworn on oath according to law, deposes and says:

1) My name is James A. Baker III. My current position is Chief of Staff and Assistant to the President of the United States of America.

2) I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee. (This affidavit, however, is a summary of points selected by the Subcommittee from interviews with me by the Subcommittee and the FBI, the relevance of which has been determined by the Subcommittee.)

3) I was Senior Advisor to the 1980 Reagan-Bush presidential campaign. My primary responsibility during the campaign was negotiating arrangements for the September 21, 1980, debate between Governor Reagan and Representative John Anderson and the October 28, 1980, debate between Governor Reagan and President Carter. I also generally supervised the persons who prepared the Reagan briefing books for the Anderson and Carter debates, but I did not have responsibility for the policy content of the debate materials on which they worked.

4) During the 1980 Reagan-Bush presidential campaign I briefly had in my possession materials apparently intended or designed to be used in the preparations of briefings for President Carter for use in his October 28, 1980, debate with Governor Reagan. I believe this material was in the form of position papers on various issues. Some of it may have been in a question and answer format. I am not certain whether I had material related to foreign policy, material related to domestic policy or material related to both foreign and domestic policy. However, none of what I recall having had was debate strategy or tactical information relating to a forthcoming debate.

5) To the best of my knowledge, I did not have in my possession in 1980 the final foreign or domestic books used to brief President Carter for his October 28, 1980, debate with Governor Reagan.

6) I believe that the material referred to in item 4 was in a black loose-leaf binder. Although it is possible that the material referred to in item 4 included the two cover pages that are attached to this affidavit as Exhibit A, I do not remember these pages being included with such material.

7) My best recollection is that I received the material referred to in item 4 from William Casey, who suggested that it might be of use to the Debate Briefing Team. I do not recall receiving the material from anybody else. I do not recall exactly when I received this material, but it was after the Reagan-Anderson debate and before the Reagan-Carter debate. I believe, but cannot be sure, that it was before a Reagan-Carter debate had been agreed upon (October 21, 1980).

8) I do not remember whether or not Mr. Casey in 1980 identified the source of the material referred to in item 4. He might have suggested that it was from the Carter campaign, but I am in no way certain that he did. I do not recall asking Mr. Casey or anybody else at any time in 1980 about the source of the material referred to in item 4.

9) I have no knowledge as to how the 1980 Reagan-Bush presidential campaign obtained the material referred to in item 4.

10) In 1980 I briefly reviewed the material referred to in item 4 (for a period of time that probably was less than one hour and certainly did not exceed 2 hours). I believe I did not make any marks on the material or alter the material in any way. I did not make copies of the material or ask anyone to make copies of the material for me or anyone else.

11) I believe I gave the material referred to in item 4 to either David Gergen or Frank Hodsoll. I do not believe that I gave the material to David Stockman or to anybody else.

12) I do not know exactly when I gave the material referred to in item 4 to David Gergen or Frank Hodsoll.

13) After giving them the material referred to in item 4, I remember no further discussion in 1980 with David Gergen or Frank Hodsoll regarding this material.

14) I believe I informed Margaret Tutwiler after I received the material referred to in item 4 and before the election that I had received such material from William Casey, and that I had given the material to the debate team.

15) I do not recall any 1980 conversations concerning the material referred to in item 4 with any persons other than William Casey and Margaret Tutwiler, and either David Gergen or Frank Hodsoll, with the possible exception of Dean Burch.

16) I remember seeing Paul Corbin on only three occasions over the period 1976 to 1980. The first occasion was in 1976 at a social event at the home of Charles Bartlett. As I remember it, the second occasion was in January 1980 at a private dinner and poker game to which we were each invited as guests. And the

third occasion I remember was when I met with him briefly on September 29, 1980, at the Reagan-Bush presidential campaign headquarters in Arlington, Virginia.

17) I believe my contact with Paul Corbin on September 29, 1980, was arranged at the request of Charles Bartlett. As I recall it, Bartlett telephoned me prior to September 29, 1980, to inform me that Corbin wanted to meet with William Casey about making contacts with labor representatives for the Reagan-Bush campaign.

18) On September 29, 1980, Paul Corbin briefly visited my office in Arlington, Virginia. At no time did Corbin provide me with any material or information from the Carter Administration or the 1980 Carter-Mondale presidential campaign. Shortly after Corbin arrived at my office, I escorted him to Casey's office on the same floor. Corbin and Casey then met in Casey's office. There may have been other people in attendance at the meeting between Corbin and Casey. My recollection is that I did not attend the meeting.

19) My recollection is that after that meeting of Corbin, Casey, and perhaps others, Casey called me into his office and informed me that Corbin was going to help the Reagan-Bush campaign with labor, with the Jewish vote in Florida, and with Democrats for Reagan-Bush. Casey asked that I provide Corbin with whatever assistance I could. I believe that Corbin was still in Casey's office at that time. I do not believe that anybody else was present in Casey's office at that time.

20) My recollection is that by telephone over the next few days I helped Corbin contact those on our campaign staff who were responsible for those areas in which he was going to help. I have no knowledge of what Corbin did thereafter in any of these areas.

21) I have never authorized any payment by the Reagan-Bush campaign to Paul Corbin. In fact, I did not have any budget or expenditure authority whatsoever in the 1980 campaign. I was unaware until Mr. Casey so informed me on June 26, 1983, that Corbin had received payments from the Reagan-Bush campaign. I do not know whether Corbin submitted any reports on his activities to the campaign.

22) On June 20, 1983, Casey indicated to me that Corbin might have been a source of material from the Carter Administration or the 1980 Carter-Mondale presidential campaign.

23) On June 24, 1983, Representative Dick Cheney told me that one of his staff members had been informed by Corbin that Corbin in 1980 had provided Casey with material designed for use in briefing President Carter for his debate with Governor Reagan. Cheney also informed me that the staff member and Corbin had a long-standing association. On June 26, 1983, I informed Casey and Richard Hauser, Deputy Counsel to the President, of the information that I had received from Cheney.

24) Casey informed me on June 27 or 28, 1983, that he had recently contacted Paul Corbin and that Corbin had told him that the only material he had provided, or assisted in providing, the 1980 Reagan-Bush presidential campaign was a speech on crime by Adam Walinsky.

25) During the first week of July 1983, I telephoned Paul Corbin to ask him what basis he thought there was for media reports about an alleged tie between Corbin and myself, since these were at variance with my own knowledge. Corbin said that there was no basis for such reports.

26) I do not recall whether I attended the September 12, 1980, meeting of deputies to the 1980 Reagan-Bush presidential campaign. (Minutes attached as Exhibit B) I do not recall hearing Casey at any time make a statement that he wanted more information from the Carter camp and wanted it circulated.

27) In 1980 I received the letters attached as Exhibit C concerning Herbert Cohen from Prescott Bush. However, I never met or contacted Mr. Cohen in 1980, and did not then know that he met with anyone in the Reagan-Bush campaign or provided any documents to this campaign.

28) During 1980 I do not recall seeing any documents prepared by Herbert Cohen for the Carter Administration.

29) During the 1980 Reagan-Bush campaign I do not recall seeing the October 2, 1980, OMB memorandum regarding "update of OMB analysis of budgetary effects of Republican economic proposals" (Attached as Exhibit D).

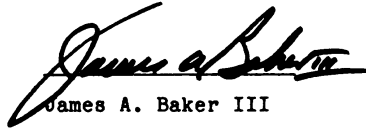
30) Although I do not clearly remember, I do vaguely recall receiving the October 21, 1980, memorandum from Wayne Valis, attached as Exhibit E. I did not solicit it. I believe that I may have passed the memorandum to Ed Meese. I do not believe that I ever discussed the memorandum with Valis, but it is possible that I could have.

31) Except for information provided me by the FBI and this Subcommittee, or that has been publicly reported, I do not recall being aware in 1980 and am not aware today, of any information regarding efforts by the 1980 Reagan-Bush presidential campaign or anybody associated with that campaign to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been made public or duly authorized for release to the public.

32) I have no recollection whatsoever of any contact with Jerry Jennings. I do not recall ever hearing his name until it came up in the investigation referred to in item 2 above. I am

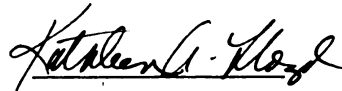
not aware that Jennings provided any information to the 1980 Reagan-Bush presidential campaign from the Carter Administration or the 1980 Carter-Mondale presidential campaign.

33) President Reagan has not indicated to me that he was aware of the presence of Carter briefing materials in the Reagan-Bush campaign in 1980.


James A. Baker III

Subscribed to and sworn before me this

8th day of March, 1984.


Notary

My commission expires: 5/14/87

EDITOR'S NOTE: The documents referred to in this affidavit in paragraphs 6, 26, 29, and 30 are at pages 550, 1367, 1998, and 1662, respectively.

AFFIDAVIT OF HAYDEN G. BRYAN

Hayden G. Bryan, being duly sworn on oath according to law, deposes and says:

1) My name is Hayden G. Bryan. My current position is Chief Economist of the Senate Committee on Labor and Human Resources.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I was a volunteer with the 1980 Reagan-Bush presidential campaign working for James Baker, David Gergen, and Frank Hodsoll. My responsibilities were to research domestic issues, to find information which highlighted the political differences between Ronald Reagan and Jimmy Carter, and to assist in the preparation of debate briefing materials for Governor Reagan.

1095

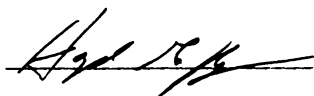
4) Between the time President Carter and Governor Reagan agreed to debate and their October 28, 1980 debate, I saw two stacks of paper, approximately 150 pages each, and someone informed me they were Carter briefing books. I saw these two stacks of paper in an office at the campaign headquarters in Arlington, Virginia.

5) I reviewed only one or two pages of one of the two stacks of 150 pages. The pages I looked at dealt with foreign affairs.

6) I removed both stacks of paper from my work area and never again saw or discussed the two stacks of paper.

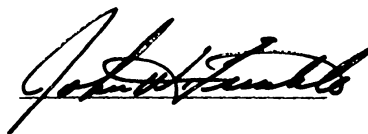
7) I have no knowledge as to how anyone associated with the 1980 Reagan-Bush presidential campaign obtained the two stacks of paper.

8) Other than what I have learned only from the news media in 1983, I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.



Hayden G. Bryan

Subscribed to and sworn before me
this 20th day of March, 1984.



Notary

My commission expires: 1/31/89

1097

ZBIGNIEW BRZEZINSKI
1800 K STREET, N. W., SUITE 400
WASHINGTON, D. C. 20006
(202) 833-2408

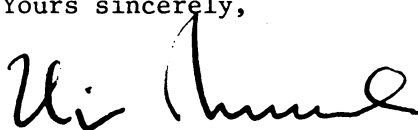
March 7, 1984

Dear Chairman Albosta:

Your letter of February 28 awaited me on my return from an extensive trip to China and Pakistan.

As requested, I confirm that at the time of the presidential campaign of 1980 I was serving as the Assistant to the President for National Security Affairs. I can confirm categorically that I have no knowledge as to how the Carter debate materials were transferred outside of the Carter Administration in the course of that presidential campaign. Moreover, as I stated to members of your staff, I am not purposely withholding from the Subcommittee on Human Resources information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Zbigniew Brzezinski', written in a cursive style.

The Honorable Don Albosta
Chairman
Human Resources Subcommittee
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

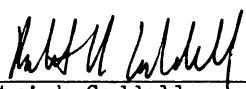
AFFIDAVIT OF PATRICK CADDELL

Patrick Caddell, being duly sworn on oath according to law,
deposes and says:

1) My name is Patrick Caddell. During the 1980 presidential campaign I was National Pollster for the Carter/Mondale campaign.


2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.



Patrick Caddell

Subscribed to and sworn before me
on this 12 day of March 1984.



Notary

My commission expires:

My Commission Expires: _____, 1984

AFFIDAVIT OF MICHAEL H. CARDOZO, V.

Michael H. Cardozo, V, being duly sworn on oath according to law, deposes and says:

1) My name is Michael H. Cardozo, V. I am currently Managing Director of G. William Miller & Co., Inc., a merchant banking firm located in Washington, D.C. During all of 1980 I served as Deputy Counsel to the President, The White House.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Committee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) As Deputy Counsel to the President, I was responsible for, among other things: (a) providing guidance to members of the White House Office staff and to staff members of certain other units of the Executive Office of the President as to what constituted official conduct and making determinations as to whether certain activities or persons were or were not subject to Hatch Act restrictions; and (b) responding to questions from White House Office staff members and staff members of certain other units of the Executive Office of the President as to whether certain proposed activities would be considered official or campaign conduct. Official conduct is activity related to the governmental responsibilities of the President and his staff.

4) To the best of my recollection, I never saw any of the actual debate briefing materials which were prepared for President Carter. However, in my capacity as Deputy Counsel, I did respond to questions regarding what debate preparation activities could be properly conducted at the White House and what activities had to be conducted outside of the White House, by members of the campaign staff.

5) During the campaign the Office of the Counsel to the President provided an oral opinion to certain White House Office, Domestic Policy and NSC staff members that their participation in the preparation of Presidential debate briefing materials would be appropriate and therefore could be performed in the White House if the materials dealt with issues involving the President's official responsibilities, whether they were foreign or domestic responsibilities, even though the President might refer to those materials during the course of the campaign or in the debate with Governor Reagan.

6) I do not recall issuing myself, nor do I recall that the office of the Counsel to the President issued any written guidance as to how the preparation of debate briefing materials should be handled, but I do recall providing oral advice and giving oral permission for designated members of the Domestic Policy and NSC staffs to assist in the preparation of briefing materials for the debate, so long as such materials related to the President's official responsibilities.

7) I have never met Mr. Paul Corbin and never saw him at the White House. I did not have any contacts with anyone associated with the Reagan-Bush campaign prior to the election.

8) I have no knowledge as to how the Carter debate materials were transferred outside the Carter Administration. I have not purposely withheld information from the Subcommittee on Human Resources

that I believe is relevant to its investigation of alleged unauthorized transfers of Carter Administration materials to the Reagan-Bush campaign during the 1980 presidential campaign.

Michael H. Cardozo, V
Michael H. Cardozo, V

Subscribed to and sworn before me this 26th day of March, 1984

Carol A. [Signature]

Notary in the District of Columbia

My Commission Expires: My Commission Expires January 31, 1989

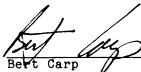
AFFIDAVIT OF BERT CARP

Bert Carp, being duly sworn on oath according to law,
deposes and says:


1) My name is Bert Carp. During the 1980 presidential campaign I was Deputy Assistant to the President for Domestic Affairs and Policy.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.


Bert Carp

Subscribed to and sworn before me
on this 22 day of March 1984.


Notary

My commission expires:

March 2, 1984

AFFIDAVIT OF WILLIAM J. CASEY

WILLIAM J. CASEY, being duly sworn on oath according to law, deposes and says:

1. My name is William J. Casey. I am Director of the Central Intelligence Agency. During the 1980 Presidential Campaign, I was Director of the Reagan-Bush campaign.

2. I am submitting this Affidavit to state the facts based upon my knowledge, recollection or belief to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3. To place this response in context, I believe it is necessary to describe my role in President Reagan's campaign for presidency. In February, 1980, I was appointed campaign director for the Reagan presidential campaign. After the nomination of the Reagan-Bush ticket, I designated as deputy directors: Ed Meese for research and issues, Dick Wirthlin for polling and strategy, William Timmons for field operations, Peter Dailey for media relations, Lyn Nofziger and later Robert Gray for communications, and Drew Lewis for relations with the Republican National Committee; and I appointed James Baker as senior advisor initially to assist me in developing a budget for the campaign and subsequently

to be responsible for negotiations on and preparation for the debates. James Baker recruited Dave Gergen and Frank Hodsoll and others to assist him in preparing for the debates. Richard Allen was responsible for foreign policy issues and Dr. Martin Anderson had similar responsibility for domestic issues, both reporting to Ed Meese.

4. During the campaign, I would meet each morning with the deputy directors to discuss the basic issues, opportunities and difficulties facing the campaign. The rest of the day was a continuous round of phone calls and schedules, meetings, programs, issues, speeches, and problems in various states and regions. A large volume of paper came to my office from all directions. Two special assistants, Cliff White and Bob Carter, and two secretaries, Mary Costello and Barbara Hayward, screened this material and directed it to individuals who could best handle or use it. I would sometimes read, more frequently look at the material which came to my desk to determine its nature and direct it to the appropriate people to handle. While retaining general oversight over the debate process, I relied on Jim Baker and his team to conduct the detailed negotiations and preparations. I attended one of the rehearsals for each of the two debates and selected some of the individuals who were to put questions to the candidate during the rehearsals.

I have examined the Carter debate briefing materials that were released by the White House in June 1983 ("Briefing Materials").

5. I did not recognize these Briefing Materials as anything I had seen before. Indeed, as far as I can recollect, until June 1983, I did not know that materials prepared for President Carter's use in preparing for the debate had been in the possession of or been used by Reagan-Bush campaign workers.

6. In June 1983, shortly before I received Chairman Albosta's first letter, Fred Fielding called to tell me that documents prepared for President Carter's use in the debate had apparently been in the possession of Reagan-Bush campaign workers and that James Baker seemed to have a recollection that he might have received them from me. I said I could not recollect anything like that. Shortly thereafter, James Baker told me that he thought I had handed him some papers in a binder saying, "This may be useful for the debate." I said that I had no such recollection. Recognizing that I had routinely passed along to him incoming papers relating to the debate frequently without reading or looking closely at them myself, I said that I would check with the people who handled my papers and others who might be able to refresh my recollection or give me any information on this matter.

7. I asked my two secretaries during the campaign, Mary Costello, Barbara Hayward, two special assistants to the campaign director, Cliff White and Bob Carter, my deputy campaign directors, Ed Meese, Bill Timmons, Dick Wirthlin, Peter Dailey, Verne Orr, Bob Gray, and others with whom I had been in frequent contact during that period, Jerry Carmen, Tony Dolan, Max Hugel, what if any knowledge they had about the Briefing Materials. All of them told me that they had no knowledge and had not heard of the campaign having received or having possession of papers used to prepare President Carter for the debate.

8. In searching my memory, I thought of Paul Corbin, a Democrat, who had been in my campaign office during October. Charles Bartlett had called to recommend that I see Corbin who had worked for Senator Kennedy in the Democratic primaries and knew anti-Carter labor and political leaders whom he believed could produce votes for the Reagan-Bush ticket. Bartlett arranged for Corbin to call on me and Corbin was authorized to contact labor leaders in the east and midwest and political leaders in condominium areas in Florida to get votes for the Reagan-Bush ticket. Campaign records indicate that he was paid at a per diem rate and reimbursed for his expenses, and I believe that I authorized this at Mr. Corbin's request or Mr. Bartlett's suggestion.

Shortly after receiving Chairman Albosta's first letter, I heard that there was hearsay on the Hill that Corbin had provided the Briefing Materials to the Reagan campaign. I called Bartlett to ask him if he knew whether Corbin had brought any papers to my office when Bartlett sent him to me. Bartlett said not that he knew of and expressed the belief that Corbin would have disclosed that fact to him if he had provided the campaign with any papers. Both Bartlett and I subsequently reached Corbin and asked him whether he had brought any papers relating to President Carter's preparation for the debate to our campaign headquarters. Corbin told me that he had not, but that at his suggestion, Adam Walinsky, another Kennedy Democrat, had sent by telegraph to James Baker a few pages of suggestions for the debate and had subsequently mailed a copy to me. I had no recollection of this, but later found the Walinsky material in my file. Bartlett told me that Corbin gave him the same information.

9. Having made inquiry of the persons as set forth in Paragraphs 7 and 8 above, to the best of my recollection I did not receive or pass on the Briefing Materials nor did I authorize or direct any person to obtain the Briefing Materials.

10. With respect to the September 12, 1980 memorandum from Robert Garrick to Ed Meese reporting on one of my daily

meetings with the deputy campaign directors, while I do not recall making the statement attributed to me in that memorandum, I could have stressed the need for more and faster information about Carter's statements and appearances to help the issues people reporting to Garrick and Meese and the truth squad respond more rapidly and effectively to Carter-Mondale campaign statements. Attachments 7-13 appear to be in response to that need. I do not know how or where that information was acquired.

11. I do not remember any specific conversations with Daniel Jones during the 1980 presidential campaign nor asking him at any time to obtain President Carter's schedule. I do not recall seeing during the 1980 campaign: (1) Mr. Jones' October 27, 1980 memorandum to me and others, or the attachment to that memorandum, (Attachment 3), nor (2) an October 10, 1980 White House memorandum from Anne Wexler and Al McDonald (Attachment 4), a copy of which was found in my files.

12. Anthony Dolan did research and prepared statements on the Carter record for the campaign. I do recall receiving the information from Mr. Dolan set forth in Attachments 5 and 6. I understood it to be information volunteered by people in the bureaucracy who were concerned about possible violations of law by the Carter administration. This information

was assembled with other information on misuses of the incumbency in the conduct of the Carter campaign and submitted by Leon Jaworski to the Attorney General with the demand that the alleged illegal conduct be investigated. I did not inquire into nor do I know the source of the information set forth in Mr. Dolan's memoranda (Attachments 5 and 6).

13. I do not remember seeing during the 1980 campaign: (1) an August 11, 1980 memorandum from Max Hugel to Edwin Meese (Attachment 14) and (2) the attachment to this memorandum in 1980, nor asking Max Hugel to pass the attachment to Ed Meese for his review.

14. On reading carefully my memorandum of October 16, 1980 (Attachment 15), I do remember receiving the information it contains from the sources indicated and passing it along to Ed Meese and others in the campaign for appropriate action.

15. Information about negotiations for the release of hostages in Iran came to me from many sources, including bankers involved in loans to Iran and frozen Iranian funds. I also received briefings by the Assistant Secretary of State engaged in the negotiations as arranged by the White House. I do not specifically recall Richard Allen's memorandum of October 15, 1980 (Attachment 16) or the identity of "ABC-XYZ" referred to in that memorandum. I followed the situation

of the Iranian hostages very closely. Information in the Allen memorandum is basically duplicative of similar information and speculation available at that time from other knowledgeable sources and not uncommon in financial and political circles.

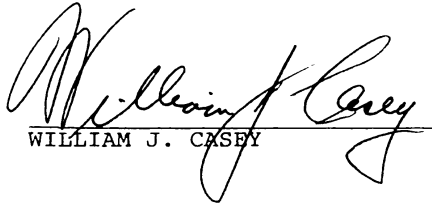
16. With respect to Attachment 17, in September of 1980, Mr. Prescott Bush suggested that I meet with Mr. Herbert Cohen of Chicago. We were scheduled to be in New York at the same time, and I met with Mr. Cohen at the Plaza Hotel. Mr. Cohen turned out to be an expert on the conduct of negotiations and the author of a best selling book on that subject. He had served until about April of 1980 as a consultant in the efforts of the Carter administration to negotiate the release of the American hostages from Iran. Drawing on this experience and his expertise as a negotiator, he gave me his opinion that the Iranians would strike an agreement to release the hostages when they had maximum value, which in his opinion would be shortly before election day. Sometime in October, Mr. Cohen visited me in Washington bringing with him papers with the cover pages appearing the same as Attachments 17(2), (3), and (5), and with another paper containing the same page -1- as Attachment 17(4). All of the foregoing, while marked "Confidential" by Mr. Cohen, do not carry any indications of classifications of a government nature or that they are government documents. These documents carrying dates of December of 1979, January, February, and

March of 1980 contain only an assessment at that time of the attitude and posture of Khomeni and his government, formulated by Mr. Cohen. As far as I know, no use was made of this material in the Reagan-Bush campaign. As to the cover page (Attachment 17(1)), I do not recall receiving it.


17. I have made all the files I retained from the 1980 presidential campaign available to the Subcommittee for its review as requested.

18. I have no knowledge of any intelligence operation established or authorized by the 1980 Reagan-Bush presidential campaign that was designed to obtain the Briefing Materials or any other similar materials.

19. I hereby affirm my letter to Chairman Albosta, dated June 22, 1983, and my memorandum to Fred Fielding, Counsel to the President, dated June 28, 1983 (Attachment 18).


WILLIAM J. CASEY

Subscribed to and sworn before me
this 2nd day of March, 1984.


Notary Public My Commission
expires: July 10, 1984

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 10-16 and 19 are at pages 1367, 1962-63, 1965, 1967-68, 1970-71, 1856, 1712, 1405, 1408, 1399, 1973, 1490, 1558, 1572, 1595, 1587, 1542, 148, 1905, respectively.

AFFIDAVIT OF ANGELO CODEVILLA

1) My name is Angelo Codevilla. I am currently on the staff of the Senate Select Committee on Intelligence, as I was during 1980. During the 1980 Presidential Campaign I ^{was in} ~~assisted the Bush~~ ^{primary campaign with funds raised in the Reagan campaign. He had no} ~~Primary Campaign and the Reagan-Bush Campaign as a consultant on~~ ^{issues of} Foreign Policy and Defense issues. I am a former Naval Intelligence Officer and Foreign Service Officer. During the transition period after the 1980 Presidential election, I ^{covered} ~~headed~~ ^{the} intelligence personnel ^{section} of the transition team under William Mittendorf and served on the State Department transition team, where I ^{covered} ~~was in charge of~~ the Western Europe ~~section~~ under Robert G. Neumann.

2) ^{In answer to question by} I am submitting this affidavit ^{to} ~~to~~ state the facts as I know them ^{to} the Human Resources Subcommittee of the House Post Office and Civil Service Committee ⁱⁿ connection with the investigation currently being conducted by that Subcommittee.

3) I ^{have heard} ~~am aware~~ that active duty agents of the Central Intelligence Agency worked for the George Bush primary election campaign. However, I cannot now remember some of these persons

and I am not at liberty to ^{discuss them among} identify others ^{by names or position} because to do so would compromise the ~~the~~ cover ^{of}

4) I am not aware that any active duty C.I.A. agents worked for the Reagan-Bush general election campaign.

5) I am not aware that there were any persons within the intelligence agencies who provided information to the Reagan-Bush campaign without proper authorization.

6) As a member of the transition team, not both CIA and State, I was responsible to the President that the affidavits submitted by CIA officials, during the Reagan transition, were such that they cooperated in it and had been around the Carter transition four years before.

specifically, whenever the request by information handlers' designee, Mr. Hanson for the CIA's 30 most sensitive cases" had been promptly complied with. CIA officials in 1980 excluded members of the Reagan transition from meetings and made calls to their current employers asking that something be done about them.

7) While a member of the transition team, I ^{heard talk by} ~~was told by~~ ^{often went to see} ~~other~~ members of ~~the team~~ ^{the}, as ~~we~~ ^{they} considered filling positions, about people who had been "moles" ^{that is to say friends of} ~~from~~ the Reagan-Bush campaign in many agencies (but not the C.I.A.) However, I ~~did not try to find out~~ ^{do not remember} the names or positions of any of these persons.

8) I do not remember talking with Richard Allen about the information in an entry in his personal telephone log, dated October 13, 1980, which is attached to this affidavit. While ^{one on the same form as} that entry ~~does contain~~ ^{is contained in the list of my knowledge} my name and home telephone number, ~~I do not recall providing the information contained in that entry to Mr. Allen.~~ To the best of my knowledge, I did not on that date provide Mr. Allen information about the American hostages in Iran that had been "embargoed" by the Carter Administration or that came from the Defense Intelligence Agency (DIA).

8) Other than information that has appeared in the news

media, I have no knowledge about the transfer of Carter debate briefing materials, or any other material or information from the Carter Administration or the Carter-Mondale campaign, to the Reagan campaign in 1980.


Angelo Codevilla May 9 1984

Subscribed to and sworn before me
this _____ day of March, 1984.

Notary

My commission expires:

EDITOR'S NOTE: The documents referred to in this affidavit are
at page 1498.

AFFIDAVIT OF HERBERT A. COHEN

Herbert A. Cohen, being duly sworn on oath according to law,
deposes and says:

1.) My name is Herbert A. Cohen. I am the Executive Director of Power Negotiations Institute, in Northbrook, Illinois. For the last two decades, I have been active in the multi-disciplinary field of negotiations as a practitioner, teacher, consultant, adviser, writer and public speaker. During this period I have been affiliated with many educational institutions and universities in North America.

2.) When the Honorable Edward Levi became Attorney General in the Ford Administration, the U.S. Department of Justice contacted me (through the Graduate School of Business of the University of Michigan), about developing and conducting a 2 and one-half day "tailored program" dealing with the subject of negotiations. Consequently, from about 1975, I have had an annual contract with the Justice Department to present four to six negotiating seminars a year for their senior executives. These programs, with 30 to 40 participants from all agencies of the U.S. Department of Justice have usually been held at the F.B.I. Academy, Quantico, Virginia. The subjects of Terrorism, Geopolitical and Hostage Negotiations were part of this curriculum.

3.) After presenting the first Attorney General's Seminar, I was asked to participate in other programs conducted by the F.B.I. These were ongoing developmental and communicating courses held for Middle Managers (E.D.I.) and Senior Executives (S.E.I.) in the F.B.I., as well as other top law enforcement officials in the United States and other Western countries, the National Executive Institute (NEI).

4.) For all the aforementioned programs, I received an honorarium or contractual fee consistent with the compensation paid by the United States Government Agencies to outside consultants.

5.) Because these seminars or lectures often dealt with a unique approach to hostage negotiations, I was asked to develop a film for the F.B.I. dealing with this subject. Approximately, in the summer of 1979, such a film was made at the Academy. It is my understanding that it has been widely shown and used as part of the F.B.I.'s Advanced Hostage Negotiating Course, regularly conducted at Quantico. For the time and effort expended on this project, I received no compensation nor reimbursement for expenses. My services were provided "pro bono".

6.) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

7.) About a week after the illegal seizure of the American Embassy in Teheran I received a phone call from someone who identified himself as a member of the U.S. State Department's "Iranian Task Force". He solicited my analysis and advice on this matter. After a lengthy conversation, he asked whether I would be willing to put my comments and suggestions in writing and mail them to the Task Force at the State Department. In essence, this was the genesis of the so-called Confidential Reports entitled "Negotiating the Iranian Crisis", the first dated November 24, 1979.

8.) During the following months, I was further encouraged to submit additional papers dealing with the hostage crisis by members of the State Department and others within the Executive Branch of Government. These reports were prepared -- without benefit of any government documents or information -- from my own knowledge of Iran, geopolitics, Shi-ism, negotiating techniques and political realities, as well as contemporary media accounts of the day to day happenings. While I did speak via telephone to one or two members of the State Department's Iranian Task Force I was not a member of this group, nor for that matter, can I recall ever meeting face to face with any of the people who comprised such a group.

9.) Throughout the following months I wrote four or five papers (approximately one each month) giving my personal recommendations regarding the lingering hostage situation in Iran. These efforts were undertaken by me as a concerned private citizen and no compensation or reimbursement for any expenses was ever requested nor received.

10.) To the best of my knowledge, none of these four or five reports contained any information or material that was obtained from Federal Government sources. The designation "Confidential" was made primarily for the purpose of having the recommendations routed to the designated addressee.

11.) It is my understanding, that these reports were broadly disseminated and read by a great many individuals in the Executive Branch of Government. Apparently, these papers were of some interest, as I was asked to confer with individuals on the White House Staff, State Department and National Security Staff to elaborate upon their contents. These meetings were in the main, one-way discussions, where I did virtually all of the talking in response to the questions posed. On these occasions, I was not shown, nor given, any confidential or classified information (nor for that matter much information or direction of any sort) -- albeit I was urged to keep writing reports.

12.) Throughout this period (from November 1979 to March of 1980) I was working and traveling constantly, giving lectures, speeches and conducting public and in-house seminars dealing with negotiations. Customarily, I have always included contemporary events in these presentations, to illuminate negotiating concepts and techniques. Obviously, "The Iranian Hostage Crisis" was a dramatic illustration which I would almost always use. Further, during this time, I was frequently on radio and television, discussing this subject from my own personal perspective. In fact, right after the hostages were taken I appeared on the National Public Radio as well as The Irv Kupcinec Syndicated TV Show. Thereafter, I was also a guest on many national programs from Tom Snyder's Tomorrow Program on N.B.C. - T.V. to Larry King's radio program on the Mutual Network, where I regularly gave my analysis and opinions of the ongoing situations.

13.) From the end of March 1980 and certainly by the abortive rescue attempt in April 1980, I was somewhat discouraged by the fact that the Carter Administration was essentially ignoring the strategic approach I had recommended -- even though the unfolding events in Iran seemed to lend credence and support to what I had said and written previously. Believing that my suggestions or plan to gain the hostage's release was not being implemented, recognizing the futility of further efforts to influence the approach being taken and cognizant that other obligations and commitments were being neglected, by April 1980, my involvement in this matter diminished considerably.

14.) However, during my public lectures, speeches and seminars in May, June and July of 1980, I continued to discuss the hostage crisis, making references to some of the analysis and recommendations contained in the four or five aforementioned reports. While these documents were now out of date, (no longer timely) because of ever-changing developments in Iran, they were still of interest to those who had heard me discuss another alternative to gaining the release of the hostages, other than the path chosen by the Carter Administration. Although by this time, the four or five reports were the equivalent of artifacts, my office was receiving numerous requests for copies, from people who had heard me speak publicly on this subject. Accordingly, about June of 1980, copies were made available to clients, program participants, colleagues, friends or associates who expressed interest in this subject, which was still one of overwhelming fascination for the general public.

15.) Through mid-June of 1980, I cannot recall speaking to, or meeting with, anyone who identified himself or herself as having been associated directly with the Reagan / Bush Presidential Campaign. Should anyone specifically affiliated with the campaign have received these reports, in this period of time, it was because they met one of the categories enumerated previously in this paragraph.

16.) During the months of May and June, many people who heard me speak about the crisis in Iran, urged that I become more assertive in specifically criticizing the Carter Administration via the national media. However, I ignored these suggestions, ostensibly believing that if the plight of the hostages became a partisan issue, it would only strengthen the bargaining leverage of the Iranian Mullahs and further their cause.

17.) In July of 1980, at about the time of The Democratic National Convention in New York City, I received a phone call from Prescott Bush, who invited me and Ms. Dee Workman, a mutual friend, for lunch at the Yale Club in Manhattan. The Conversation as I can recall, involved some discussion of the Iranian Hostage Crisis and its handling by President Carter. My personal views were undoubtedly expressed, that the Administration had unintentionally mishandled the situation. Accordingly, the question arose as to whether a detailed public revelation of "The President's mistakes" would prove beneficial for the hostages, discourage future terrorism or for that matter, even aid the Reagan / Bush Candidacy. As I can best recollect, there was some disagreement on this subject, with my position being that this was an issue that should be kept out of the Presidential campaign.

18.) As I recall, this was the only meeting that I ever had with Prescott Bush. During the luncheon conversation, I do not remember anyone discussing "secret sources on the National Security Council who would keep me advised of developments on the hostage situation". Such a representation on my part if made, would not have been truthful, leaving aside the questions of propriety, ethics, trust, integrity and legality. If Mr. Bush had even raised such a matter, I would have been greatly disappointed, shocked and sufficiently surprised to vividly remember it. Moreover, it would be totally inconsistent and absurd for me to tell anyone that, "If President Carter were behind in the polls in October 1980, he would make a move on the Iranian Hostage situations". Not only do I not recall saying this, but such a comment would fly in the face of everything I can ever recall saying or writing about this subject. It was always my contention that the so-called "October Surprise", was not Carter's, but Khomeini's. My belief then, as I try to remember it now, was that our then Chief Executive, was totally in a reactive mode, or as I recall saying frequently at the time, "President Carter is on an emotional roller coaster ride along with the rest of the American people -- only he is in the first car".

19.) It was approximately in mid-October 1980, that my office received a phone call from William Casey, who was then Candidate Reagan's Campaign Manager. Consequently, I met with him one evening at the Plaza Hotel, where I was staying, while working in New York City. I cannot specifically recall who put Mr. Casey in contact with me, though I have subsequently learned that we have several mutual colleagues, friends and acquaintances. During this meeting, I presented my personal opinions about the hostage crisis along with a conceptual framework or paradigm for analyzing the situation. As I now attempt to recall the scene, neither I nor Mr. Casey had any documents or notes. Indeed, while I was talking he was having dinner. The two items that I remember William Casey asking about were: "Whether I believed that all 52 hostages were alive and physically well?" and "Assuming that Candidate Reagan was elected, what might he do or say prior to his Inauguration to expedite the hostage release"?

20.) At the conclusion of "our conversation", Mr. Casey asked whether I would be willing to put some of these thoughts in writing and mail them to him. This I agreed to do, beginning my efforts on the road and finally completing the writing on the plane trip back home. It is my current recollection that I prepared a primary report dealing with an overall updated analysis of the hostage situation, along with two other shorter papers. One of these dealt with a possible plan or strategy that could obtain the release of the hostages on January 20th and the

other was a handwritten outline on a related matter. These items were all forwarded to William Casey at the Reagan / Bush Campaign Headquarters in an expeditious manner.

21.) Approximately, early in November, on a Saturday morning, just prior to the election, I was in Washington, D.C. or Northern Virginia. Having concluded whatever I was doing, and somewhat close to Arlington, Virginia, I decided to phone Mr. Casey. As a result, I visited with him for a short period of time before my flight back to Chicago. The discussion we had was primarily about politics, campaigning, New York City and very little of substance about the hostage situation that I can now recall.

22.) Copies of the four or five reports, prepared between November 1979 and March 1980, entitled "Negotiating The Iranian Crisis", were all typed and mailed by PNI office personnel in Northbrook, Illinois. To the best of my knowledge and belief, when each report was completed and typed it was distributed (while its contents were still timely), only to persons within the Executive Branch of Government. However, each report attempted to project just about a month into the future. Hence, in view of the fluid situation in Iran at the time, within a few weeks or about a month any recommendations or commentary therein usually became obsolete.

23.) As best as I can ascertain or recall, neither I nor anyone in our office knowingly provided any of these four or five reports to persons associated with the 1980 Reagan / Bush Presidential Campaign, or to anyone else for use by that campaign while these documents were current, timely or being used by the Carter Administration.

24.) As outlined in paragraph 14, the four or five reports in question, were regarded as out-of-date or antiquated by the end of June 1980 (the last report was dated, March 15, 1980) when they were widely distributed. When this occurred, these reports could be easily obtained by almost anyone. If they came into the possession of individuals within the Reagan / Bush campaign, the likelihood would be, it would have been at this point in time.

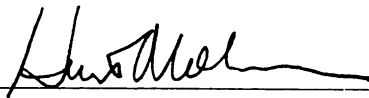
25.) To the best of my recollection, I cannot remember personally turning-over or asking my office to mail, the four or five reports in question to anyone associated with the Reagan / Bush Campaign. But in attempting to recall my state of mind at the time, had almost anyone requested these documents from me or my office, for the purpose of better understanding "The Hostage Crisis Negotiations", they undoubtedly would have received copies.

26.) At no time did I provide the 1980 Reagan / Bush Campaign, or anyone associated with that campaign, with classified, confidential, or non-public information I had learned or obtained from Federal government sources. At no time during 1980 did I provide Government property or unpublished Government papers to anyone in the Reagan / Bush Campaign.

27.) Besides the type of employment arrangements and relationships previously outlined, I did not serve in any official capacity with the U.S. Government in 1979 and 1980.

28.) I have no knowledge of any unauthorized transfers in 1980 of Government property or information from the Carter Administration to the Reagan / Bush Presidential Campaign.

29.) During the period of time from November 4, 1979 to November 4, 1980 my business travel schedule, both within the United States and overseas was especially onerous. Almost every week consisted of six working days, with free hours devoted to writing a book, "You Can Negotiate Anything" (published in October 1980) and trying to keep abreast of the ever-changing events in Iran. Therefore, the aforementioned information and approximate dates given should be viewed within the context of this feverish pace.



Herbert A. Cohen

Submitted to and sworn before
me this 22nd day of March 1984.

Notary

My commission expires: 1/1/85

AFFIDAVIT

Paul Corbin, being duly sworn on oath according to law deposes and says:

1. My name is Paul Corbin. I am currently the owner of Research Services. During the 1980 Presidential Campaign, I provided the services to the Reagan-Bush Campaign that are described in this affidavit.

2. This affidavit is based on my present recollection of facts that occurred over three and a half years ago. I am submitting this affidavit to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3. I did not provide directly or indirectly any documents or information not readily available in this media from the Carter campaign or from the Carter Administration to the Reagan-Bush campaign. Specifically, I did not provide, or cause to be provided, any version or versions of debate briefing materials prepared for President Carter or Vice President Mondale for debates in the 1980 presidential election.

4. I have no knowledge other than that which I have gained from the news media, about the transfer of Carter debate briefing materials, or other confidential Carter Administration campaign materials, to the Reagan-Bush Campaign.

5. I did not tell Tim Wyngaard that I obtained briefing materials designed for use by President Carter or that I delivered such materials, or caused them to be delivered, to William J. Casey or to the Reagan Campaign.

6. I did not advise Wyngaard that Myles Martel, a debate consultant to the Reagan Campaign, had found the Carter debate materials useful in preparing Governor Reagan for the debate with President Carter in October 1980. I do not recall knowing who Mr. Martel was before the briefing material story was publicized by the mass media in June 1983.

7. I received from the Reagan Campaign two checks authorized by Mr. Casey totalling \$2,860. Of this amount \$2,700 was for political assessments and field trips and \$160 was for expenses.

8. I did go to Florida around October 24 or 25, 1980, on behalf of the campaign. My work there involved assessing the political situation and passing out leaflets in condominiums.

9. At Mr. Bartlett's suggestion, I talked in Florida with Mr. Earl E.T. Smith, former Ambassador to Cuba, who was associated with the Reagan-Bush Campaign and who directed me to the Reagan Campaign headquarters in Palm Beach where I was provided with Reagan Campaign literature.

10. The only campaign officials at the Reagan Campaign headquarters for whom I performed any services were Mr. Casey, Mr. Baker, and a campaign labor group coordinator whose name I cannot recall.

11. The only written material I provided or caused to be provided to the campaign was material written and submitted by Adam Walinsky for Governor Reagan's debate.

12. I have no files related to my role in the 1980 Reagan-Bush Campaign that I have not already provided to the Subcommittee on Human Resources.


Paul Corbin

Subscribed and sworn to before me this 29th day of February, 1984.


NOTARY PUBLIC

My commission expires: February 14, 1987

AFFIDAVIT OF CHARLES S. CRAWFORD III

Charles S. Crawford III, being duly sworn on oath according to law, deposes and says:

1) My name is Charles S. Crawford III. Currently, I am Executive Vice President of Gray and Company, Washington, D.C. During the 1980 presidential campaign I was an assistant to the Deputy Director of Communications, Robert Gray, at the Reagan-Bush Campaign Headquarters in Arlington, Virginia.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) My primary duties were to be a problem solver for Robert Gray, although at times I did some statement development and policy development. I did not have an information gathering role.

4) I had known Carol Darr socially before the 1980 campaign. It is not true that I told her during the campaign that the Reagan-Bush campaign had Carter's debate briefing book because I had no such knowledge.


5) I did not talk in person or meet with Carol Darr during the period from early October through October 30, 1980. However,

I did talk on the telephone with her during that period, not often, but more than once.

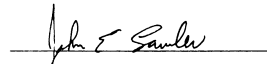
6) I did not know Mark Ashworth well, but I recall that he was a duplicating machine operator at the Reagan-Bush campaign.

7) I never gave Ashworth any debate briefing material, either Reagan's or Carter's, to duplicate.

8) I had no role in the Reagan-Carter debate and never saw the Reagan or Carter final or draft debate briefing books until they were shown to me officially during the course of the present investigation.


Charles S. Crawford III

Subscribed to and sworn before me
this 2nd day of February, 1984.


Notary

My commission expires: 10/14/84

AFFIDAVIT OF LLOYD N. CUTLER

Lloyd N. Cutler, being duly sworn on oath according to law, deposes and says:

1) My name is Lloyd N. Cutler. I am currently a senior partner in the law firm of Wilmer, Cutler & Pickering. During the 1980 presidential campaign I was Counsel to the President.

2) I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) As Counsel to the President, I had overall responsibility for, among other things, providing advice and making determinations as to whether certain activities by White House personnel should be considered official or campaign conduct and whether those activities were subject to Hatch Act and Federal Election Commission restrictions. We provided written and oral guidance on such questions.

4) My office was involved with questions regarding what debate preparation activities could be done by White

House personnel on Government time and what should be done by the campaign staff or by White House personnel after hours on their own time.

5) Although I do not recall whether the Office of the Counsel provided written guidance on the preparation of debate briefing materials, it did provide an oral opinion to White House personnel that preparation of some briefing book material for a campaign debate was official Government business and thus could be performed in the White House by White House staff so long as the book dealt with issues involved in the President's official responsibilities. Our opinion was that material designed to defend a policy of the Administration or the President was Government material and that material designed to attack a position of Governor Reagan was campaign material. Therefore, the debate briefing materials were lawfully prepared by White House officials on Government time and were Government property to the extent they discussed or defended the President's policies. The majority of the briefing book materials fell into that category.

6. Except for what I have learned from the news media, I have no knowledge of how Carter debate materials were transferred outside the Carter Administration or by whom. I have not purposely withheld information from the Subcommittee on Human Resources that I believe is relevant

to its investigation of alleged unauthorized transfers
of Carter Administration materials to the Reagan-Bush
campaign during the 1980 presidential campaign.

Lloyd N. Cutler

Subscribed to and sworn before me
this ____ day of March 1984.

Notary

My commission expires:

AFFIDAVIT OF CAROL C. DARR

Carol C. Darr, being duly sworn on oath according to law, deposes and says:

1) My name is Carol C. Darr. I currently am an attorney with the firm of Skadden, Arps, Slate, Meagher and Flom, in Washington, D. C. During the 1980 general presidential campaign I was the Deputy Counsel for the Carter/Mondale Re-election Committee, where I worked primarily on matters dealing with the Federal Election Campaign Act of 1971, as amended.

2) I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

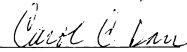
3) I had known Charles S. (Chuck) Crawford socially previous to the 1980 presidential campaign. I knew that, during the general election campaign, he worked at the Reagan-Bush Campaign Headquarters.

4) Approximately one week to one and one-half weeks before the November 1980 elections, Mr. Crawford told me over the telephone that they (the Reagan Campaign) had the Carter Campaign briefing book. I indicated my disbelief to Mr. Crawford, who then reaffirmed this statement.

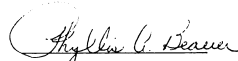
5) I then told my superior at the Carter/Mondale Re-election Committee Campaign, Timothy G. Smith, Esq., what Mr. Crawford had

said. Mr. Smith said to me that there was no way that they (the Reagan Campaign) could have our (the Carter Campaign's) briefing book and that Mr. Crawford was just pulling my leg.

6) In mid-June of 1983, shortly after the briefing book news story first broke, I saw Mr. Crawford at a dinner party and asked him if he remembered telling me during the 1980 campaign that the Reagan Campaign had Carter's briefing book. Mr. Crawford said he did not remember making this remark to me in 1980.


Carol C. Darr

Subscribed to and sworn before me
this 10th day of February, 1984.


Notary

My commission expires: My Commission Expires August 14, 1987

AFFIDAVIT OF ANTHONY DOLAN

Anthony Dolan, being duly sworn on oath according to law, deposes and says:

1) My name is Anthony Dolan. I am currently Chief Speechwriter at the White House and Special Assistant to the President.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) During 1980 I worked for both the Reagan primary campaign and the Reagan-Bush general campaign. One of my principal responsibilities during both campaigns was to research the performance and record of the Carter Administration. In this regard I prepared a memorandum on the Carter record, the first page of which is attached to this affidavit. (Attachment I)

4) At no time in 1980 did I have any knowledge that the 1980 Reagan-Bush presidential campaign had obtained, or was seeking to obtain, material or information designed for use in briefing President Jimmy Carter for his October 28, 1980, debate with Governor Ronald Reagan. I presently do not know how the Carter-Mondale briefing materials released by the White House were obtained by the 1980 Reagan-Bush campaign.

5) While I have had discussions with William Casey about the matter referred to in the preceding paragraph he has not indicated to me that he had any knowledge in 1980, or has any current knowledge, as to how the 1980 Reagan-Bush presidential campaign obtained materials designed for use in briefing President Carter for his October 28, 1980, debate with Governor Reagan.

6) I have known Jerry Jennings for a number of years. From June 1, 1980, to November 4, 1980, the only contact I had with Mr. Jennings was in early June. From June 1, 1980 to November 4, 1980, I did not receive any material, information, or messages from Mr. Jennings or from an intermediary acting on behalf of Mr. Jennings.

7) Mr. Jennings has not indicated to me that he had any knowledge in 1980, or that he has any current knowledge, as to how the 1980 Reagan-Bush presidential campaign obtained materials designed for use in briefing President Carter for his October 28, 1980, debate with Governor Reagan.

8) Mr. Jennings also has not indicated to me that he had any knowledge in 1980, or has any current knowledge, as to how the 1980 Reagan-Bush presidential campaign obtained other materials or information from the Carter Administration that were not publicly available, for example, excerpts from the NSC evening reports.

9) I am the author of the undated memorandum to William Casey and Drew Lewis regarding "illegal transfers from Federal departments", the undated memorandum to William Casey regarding "Federal transfers", and the undated memorandum to William Casey regarding "Incumbency Watch". The memoranda were written in late June or early July 1980 and were delivered to the intended recipients. (Attachment II-IV)

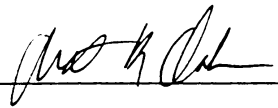
10) A source referred to in the three memoranda mentioned in item 9 above was Richard McGowan of the Department of Health and Human Services. I did not have a source in the White House during the 1980 presidential campaign and know of no one in the Reagan-Bush campaign who did.

11) The Department of Justice Status Report on the Billy Carter Affair was found in my office (cover page attached). I am not sure whether I saw the report during the campaign. I do not recall if I received this draft report before or after it was released on November 1, 1980, by a U.S. Senator.

12) I am not aware of any effort on the part of anyone in the Reagan-Bush campaign to obtain this report prior to its release on November 1, 1980.

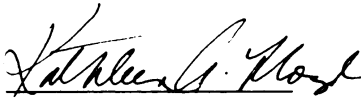
13) I do not know who provided information on President Carter's schedule to Robert Garrick, or others in the campaign.

14) I do not recall whether Daryl Borgquist, who worked for me in the 1980 campaign, had a source in the Department of Agriculture for obtaining information on hydro-electric grants as may be indicated by the attached document dated October 8, 1980, from him to me.


Anthony Dolan

Subscribed to and sworn before me this

6th day of ^{March} February, 1984.


~~Anthony Dolan~~
NOTARY PUBLIC

My commission expires: 3/14/87

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 3, 9, and 11 are at pages 1416, 1405, and 1725, respectively.

AFFIDAVIT OF STUART EIZENSTAT

Stuart Eizenstat, being duly sworn on oath according to law,
deposes and says:

1) My name is Stuart Eizenstat. During the 1980
presidential campaign I was Assistant to the President for
Domestic Affairs and Policy.

2) I am submitting this affidavit to state the true facts
as I know them to the Human Resources Subcommittee of the House
Post Office and Civil Service Committee in connection with the
investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were
transferred outside the Carter Administration in 1980. I am not
purposely withholding from the Subcommittee on Human Resources,
information relevant to its investigation into the possible
unauthorized transfer of materials during the presidential
campaign.

Stuart Eizenstat
Stuart Eizenstat

Subscribed to and sworn before me
on this four day of March 1984.

Notary
Notary

My commission expires: 6/30/85

AFFIDAVIT OF SARA EMERY

Sara Emery, being duly sworn on oath according to law,
deposes and says:

1) My name is Sara Emery. During the 1980 presidential campaign I was Secretary to the Special Assistant to the President for Administration.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Sara Emery
Sara Emery

Subscribed to and sworn before me
on this 2nd day of March 1984.

Kathleen A. Hoad
Notary

My commission expires: 3/14/87

AFFIDAVIT OF SCOT FAULKNER

1) My name is Scot M. Faulkner. I am currently Special Assistant to the Associate Administrator for Policy, General Services Administration. From July 27, 1980 through the 1980 general election I was Director of Campaign Personnel at the Reagan-Bush Campaign, serving under Otto Wolff, Director of Administration. Before taking that position, I was the Chief Legislative Assistant for Congressman John Ashbrook.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) During the 1980 campaign, Barbara Yano, who was a civil servant at the Federal Emergency Management Agency called to offer her help. She suggested that Paul Reeves, who had been detailed from the Interior Department to the President's Reorganization Project at OMB, was sympathetic to the Reagan-Bush campaign and would be a good contact in a more strategic location. Reeves was a Republican who had come into the Federal service in the Nixon-Ford period.

4) During the campaign, Otto Wolff told me that Helene Van

Damm and Pendleton James had asked for information about the White House complex and computers for use concerning personnel matters after the election. I told Wolff that I would try to get such information.

5) I asked Paul Reeves if he could help me obtain information about the Executive Office complex and computers. On Saturday, October 18, 1980, Paul Reeves, and Barbara Yano came to the campaign headquarters (as indicated on the attached page from the sign-in log). In the presence of Otto Wolff and Mitchell Stanley, they gave me information relating to the entire White House complex, including the White House, the Old Executive Office Building, and the New Executive Office Building.

6) On October 23, 1980, I visited the Old and New Executive Office Buildings with Paul Reeves to obtain information requested by Wolff, James and Von Damm. Since Reeves had just returned from a meeting in Seattle, he introduced me as a consultant from Seattle who was interested in computers used in personnel management. I signed into the OEGB using my own driver's license. I entered under this pretext to protect Paul Reeves from retribution and to avoid having it appear that the Reagan campaign was over confident.

7) I spent from about 1:00 p.m. to 4:00 or 5:00 p.m. in the Old and New Executive Office Buildings writing down the location, of the computers and terminals or work stations. I also recorded

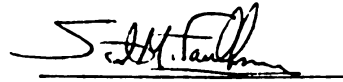
computer types and numbers and gathered information about their software. I gave this information to Otto Wolff. I also sent the attached memorandum to Edwin Meese on October 14, 1980, that made reference on page 2 to "various inside sources at the White House and Executive Agencies". This phrase referred to Paul Reeves and Barbara Yano.

8) In 1979 and through the spring of 1980, Larry Brady -- an official at the Commerce Department in the East-West Trade area -- sent me inside administration information and documents, some of which were labeled "Confidential" or "For Official Use Only". I used these documents to prepare statements for the Congressional Record. From April to June of 1980, I passed much of this information and documentation including one classified document whose identity I cannot remember -- to Richard Allen and Roger Fontaine for use in the Reagan Campaign. At no time did I provide any other classified materials or information to anyone not authorized to receive them. However, non-classified information continued to flow to me generally from the Carter Administration in the same fashion and from many of the same people as it had when I worked on the Hill, although I did not receive classified information during the campaign. By the time I joined the Reagan-Bush Campaign staff in July, Larry Brady was no longer in his job at Commerce and no longer could pass government documents and information to me.

9) Attached is a copy of a note listing the addresses and

telephone numbers of various Carter Headquarters in the metropolitan Washington area. I used this note only to determine whether these offices had buttons and bumperstickers my friends and I could pick up. I picked up or otherwise obtained no other property or papers from the Carter Campaign.

10) I have no further knowledge of any unauthorized transfer of documents or information from the Carter Administration to the Reagan Campaign during the 1980 campaign, except for information I have gained from the news media.



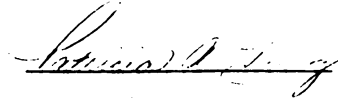
Scot M. Faulkner

City of Washington

District of Columbia

Subscribed to and sworn before me this

12th day of March 1984.



Notary

My commission expires: January 14, 1987

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 5 and 9 are at pages 1980 and 1979, respectively.

AFFIDAVIT OF EMILY FORD

Emily Ford, being duly sworn on oath according to law,
deposes and says:

1) My name is Emily Ford. My current position is Executive Assistant to John Rogers in the Office of Administration in the Executive Office of the President. During the 1980 presidential campaign I was an assistant to Margaret Tutwiler in the office of Ambassador George Bush.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) In the course of my work on the campaign, I often asked Mark Ashworth to copy Mr. Bush's schedules that were from 5 to 40 pages in length.

4) During the campaign, I did not ask or order Mr. Ashworth or anyone else, to copy documents from the Carter campaign, or the White House, the Carter Administration, or the Democratic National Committee.

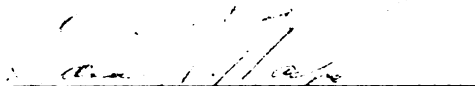
5) During the campaign, I had no knowledge of the existence of any debate briefing materials or other materials that had been transferred in an unauthorized manner from the Carter Administration or campaign to the Reagan campaign.

6) In the course of my work on the campaign, I did no copying or other work for Mr. James Baker III.

7) During the campaign, I did not ask Mr. Ashworth to copy anything for Mr. Baker.


Emily Ford

Subscribed to and sworn before me
this 2 day of February, 1984.


Notary

My commission expires:

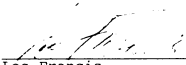
AFFIDAVIT OF LES FRANCIS

Les Francis, being duly sworn on oath according to law,
deposes and says:

1) My name is Les Francis. During the 1980 presidential campaign I served in a variety of capacities with the Carter/Mondale campaign, including Staff Director, Field Director and Acting Campaign Manager.

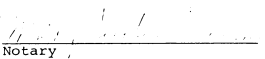
2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.



Les Francis

Subscribed to and sworn before me
on this 17 day of March 1984.

My commission expires: 

Notary

AFFIDAVIT OF MARTIN FRANKS

Martin Franks, being duly sworn on oath according to law,
deposes and says:

1) My name is Martin Franks. During the 1980 presidential campaign I was Research Director for the Carter/Mondale Reelection Committee.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

DISTRICT OF COLUMBIA
CITY OF WASHINGTON, D.C.


Martin Franks

Subscribed to and sworn before me
on this 22nd day of March 1984.


Notary

My Commission Expires March 31, 1985

My commission expires:

AFFIDAVIT OF FLORENCE GANTT

Florence Gantt, being sworn on oath according to law, deposes and says:

1) My name is Florence Gantt. During the 1980 presidential campaign I was a Secretary with the National Security Council.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not ~~withholding~~ withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Florence Gantt
Florence Gantt

Subscribed to and sworn before me
on this 14th day of March, 1984.

Annice L. Newman
Notary

My commission expires:
March 26, 1985.

AFFIDAVIT OF ROBERT M. GARRICK

Robert M. Garrick, being duly sworn on oath according to law, deposes and says.

1) My name is Robert M. Garrick. During the 1980 presidential campaign I served as the Director of Research and Policy Development for the Reagan-Bush campaign.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that committee.

3) I had no role in preparations for Governor Reagan's debates with other candidates.

4) I did not know about or hear about the Carter briefing materials being in the Reagan campaign until the story appeared in the media in June 1983.

5) Even though I drafted the minutes of the deputies meeting for September 12, 1980, (Attachment I), I do not specifically remember the meeting. Nor do I remember what was meant by the comment attributed to William J. Casey to the effect that he wanted more material from the Carter camp and wanted it circulated.

6) While some scheduling information may have been obtained from newspapers, radio, television and possibly unsolicited calls from members of the media to staff under my supervision, I personally did not make arrangements for anyone outside the Reagan-Bush campaign to obtain President Carter's schedules or other information from the White House and provide such information to the Reagan-Bush campaign.

7) I do not know the name of the "excellent source" referred to in the September 19, 1980 memorandum addressed to me by Bob Gray. (Attachment II)

8) I did not set up a network of military officers -- retired, reserve or otherwise -- to observe and report on the movement of large aircraft that might indicate a movement of materials to Iran. However, I did call three reservists and asked them to watch for large aircraft movement. I do not remember the names of these persons. One of the bases involved was Norton Air Force Base. I am not certain of the name or names of the other base or bases involved.

9) Until I was shown the attached memo from Edwin Meese to senior campaign officials, I did not remember that Jim Brady was appointed Acting Director of Policy Development and Research on October 24, 1980. I do not now recall being relieved of all campaign duties on that date except those related to responding to the hostage situation. I do not now recall that my duties changed in any substantial manner on or after October 24, 1980, or that I took on any new assignment as of that date.
(Attachment III)

10) I do not know the source or sources of President Carter's or Mrs. Carter's schedules as set out in my memoranda dated October 3, 1980, October 7, 1980, October 17, 1980, October 23, 1980, October 27, 1980, or October 30, 1980. (Attachment IV-IX)

11) I do not remember who told me that first drafts of Governor's Reagan's speeches were showing up in Carter Headquarters.

12) I have made all files I retained from the 1980 presidential campaign available to investigators from the House Human Resources Subcommittee for their review.

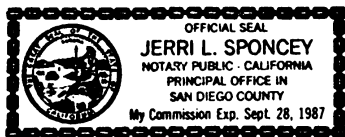
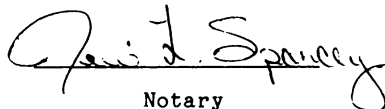
13) I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.



Robert M. Garrick

Subscribed to and sworn before me this

21st day of February, 1984.

Notary

My commission expires: Sept. 28, 1987

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 5, 7, 9, and 10 are at pages 1367, 1679, 1487, 1962, 1963, 1965, 1967, 1968, 1970, and 1971, respectively.

AFFIDAVIT OF DAVID R. GERGEN

David R. Gergen, being duly sworn on oath according to law, deposes and says:

1) My name is David R. Gergen. Until January 15, 1984, I served as Assistant to the President for Communications.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) On October 15, 1980, I took a leave of absence from the American Enterprise Institute, where I was then serving as a Resident Fellow, to assist in preparing Ronald Reagan for his October 28, 1980 debate with President Jimmy Carter. Prior to October 15, 1980, I had worked on a part-time basis at the Reagan-Bush campaign, mainly for the purposes of assisting in preparing Governor Reagan for his September 28, 1980 debate with Rep. John Anderson. I had no other regular responsibilities at the campaign other than working with the "debate team".

4) Prior to the October 28, 1980 debate between Governor Reagan and President Carter, I had in my possession a set of materials clearly prepared by the Carter camp relating to foreign policy and national security issues. I found these materials in my files on June 27, 1983 and turned them over to legal authorities on that day. These materials

have various dates marked on them ranging from September 10-29, 1980, in some cases several weeks before the debate was formally scheduled. It appears they were an early draft of materials that were later summarized, refined and included in many parts of the final briefing book on this subject, dated October 20, 1980. To the best of my recollection, the materials I saw and possessed related only to foreign policy and national security issues. The first several pages of the materials I refer to are found at Attachment 1 of this affidavit.

5) I do not recall seeing in 1980 the final foreign policy briefing book or the final domestic policy briefing book used to prepare President Carter for the October 28, 1980 debate with Governor Reagan (the cover pages of these documents are found at Attachment 2).

6) To the best of my knowledge, I did not see any materials on domestic issues designed to be used to brief President Carter for the October 28, 1980 debate prior to that debate. I cannot exclude the possibility that such materials were in the possession of the Reagan-Bush campaign, but I do not recall seeing them and there were no such materials in my files.

7) I do not recall the precise date that I received the materials referred to in item 4 above. Presumably, the materials came into my possession between the end of September (when they were apparently completed) and October 28, 1980, the day of the debate.

8) The materials referred to in item 4 above were later found in both my files and those of Frank Hodsoll. He and I worked together on debate preparations and shared an office at the campaign headquarters. (Note: Mr. Hodsoll's files contained two introductory pages to the foreign policy materials in item 4 above; my set did not contain those pages.)

9) I do not recall how the materials came into our possession. Since questions arose on this matter in the summer of 1983, Mr. Hodsoll has told me he has a vague recollection that while the two of us were in the office together, someone walked in and handed, either to Mr. Hodsoll or to me, the materials referred to in item 4 above. Mr. Hodsoll has also said to me that he thought it was someone from the office of James Baker, who worked upstairs from our office. Mr. Hodsoll has emphasized to me that his memories of the delivery are vague. Mr. Hodsoll has also stated to me that to the best of his recollection, the materials arrived in our office within a matter of just a few days before the October 28, 1980 debate between Governor Reagan and President Carter.

10) As I have publicly acknowledged on previous occasions, I do not have a precise memory of everything that occurred during the final days before the Reagan-Carter debate. We were extremely busy during that time and had a large volume of paper flowing through our office. I do recall seeing the materials in item 4 above prior to October 28, 1980, but to the best of my knowledge, I did not read them closely or study them. As the materials themselves state, they are drawn from public documents and were intended not only to assist President Carter but for

general campaign use. They have never struck me as the kind of tightly-drawn, highly sensitive materials that would ordinarily be submitted to a President in a crunch before a major debate. Further, they are essentially a recitation of positive accomplishments by the Carter administration; in preparing briefing materials for Governor Reagan about the Carter administration, we were much more concerned with giving him information about the weaknesses and vulnerabilities of the other side. Thus, as I have stated before, the materials referred to in item 4 above did not play a significant role in preparing the briefing materials for Governor Reagan and their receipt and possession did not make a vivid impression upon me.

11) Other than Frank Hodsoll, I do not recall to whom I may have shown the materials referred to in item 4 above, with whom I discussed those materials, or to whom I may have distributed those materials. To the best of my recollection, there was not a wide distribution of the materials nor were there extensive discussions of them prior to the debate on October 28, 1980.

12) Other than Frank Hodsoll, I was also not aware at the time of what other individuals in the Reagan-Bush campaign had knowledge that the campaign had obtained the materials in item 4 above.

13) I do not know and did not attempt to learn how the Reagan-Bush campaign obtained the materials referred to in item 4 above.

14) Since questions arose on this matter in the summer of 1983, one of the individuals who worked part-time on the debate preparations, Jackie Tillman, has told me that she has a memory of me telling her a few days before the October 28, 1980 debate a second-hand account of a taxi cab arriving at the campaign headquarters that morning and someone dropping off a bundle of materials on the front door step. I have tried to dredge my memory for that conversation with her but do not recall it. I volunteered all of this information to legal authorities in the summer of 1983.

15) To the best of my knowledge, I have never had any contact with Paul Corbin. My knowledge of Mr. Corbin is based essentially upon stories in the news media.

16) In the summer of 1983, I informed legal authorities that videotapes had been made of practice sessions with Governor Reagan before both the Anderson and Carter debates. I am uncertain whether each and every session was taped, but I believe that most of them were recorded. I do not know if tapes of any Reagan practice sessions for the Carter debate are now missing; if they are, I do not know what happened to them. In recent months, I have discussed the tapes with William Carruthers, who served as our television adviser for the debates and also hired a crew to tape the practice sessions. Mr. Carruthers has informed me that to the best of his recollection, tapes of the practice sessions for the Carter debate were left at Wexford (where the sessions took place) in the event that Governor Reagan might want to review

them. The tapes, according to Mr. Carruthers, were eventually sent to him, and later, after consultation with the White House, he turned them over to the National Archives; they were delivered directly to legal authorities in recent months.

17) The "debate office" of the campaign did send materials to David Stockman as background for the practice sessions prior to both the Anderson and Carter debates. I do not know who provided Mr. Stockman with any materials from the Carter "camp" and I do not recall sending him any such materials myself. I have assumed, without knowing for a certainty, that to the extent he had materials in item 4 above, they were sent to him by our "debate office".

18) I have no knowledge of any effort, organized or by a single individual, by the 1980 Reagan-Bush presidential campaign to "penetrate" the Carter "camp" or to obtain from the Carter administration, or the 1980 Carter-Mondale presidential campaign, material that had not been duly authorized to be released to the public.

David R. Gergen

David R. Gergen

Subscribed to and sworn before me

this 26 day of March, 1984

William A. O'Neil

Notary

My commission expires: Dec 31, 1988

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraph 5 are at page 550.

AFFIDAVIT OF ROBERT K. GRAY

ROBERT K. GRAY, being duly sworn on oath according to law, deposes and says:

1. My name is Robert K. Gray. I am founder and chairman of Gray and Company, a public relations firm. During the 1980 presidential campaign, I was Director for Communications of the Reagan-Bush campaign, reporting to the campaign director, William J. Casey.

2. I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3. On October 7, 1983, I was interviewed by several representatives of the Subcommittee, including Special Counsel James Hamilton, Subcommittee Counsel John Fitzgerald, Minority Counsel Steve Hemphill, and Subcommittee Investigator Francis Doyal. The interview lasted for approximately two hours, and covered such topics as the organization of the 1980 Reagan-Bush campaign, personnel assignments and responsibilities, access to documents, and other matters relating to the development of political information. During the interview, the Subcommittee representatives also inquired into several particular matters, and I set forth below my knowledge in respect of these matters.

4. I have been shown Bob Garrick's minutes for the deputies' meeting of September 12, 1980. I do not remember this

meeting or a comment by William J. Casey that he (Casey) wanted more information from the Carter camp and wanted it circulated.

5. I cannot identify the "White House Source" referred to in my memorandum of October 21, 1980 (Attachment I).

6. I cannot identify the "excellent source" referred to in my September 19, 1980 memorandum (Attachment II).

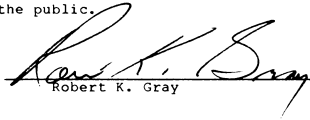
7. I do not remember the name of the source who provided the schedule attached my memorandum of October 4, 1980 (Attachment III).

8. I do not remember receiving documents, found at Attachment IV, from Daniel Jones that contains a note about a "White House mole". Nor do I remember routing this document to William J. Casey with a note that the document should be sent to Martin Anderson. I also do not recall receiving the October 27, 1980 memorandum from Daniel Jones which also mentions a "White House mole" and the attached October 24, 1980 memorandum from Anne Wexler and Al McDonald to the Cabinet, which are found at Attachment V. Indeed, I do not recall receiving any Carter Administration documents or information whatsoever from Mr. Jones.

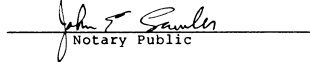
9. I did not arrange for or direct anyone to obtain material or information from the White House on the President's schedules. So far as I know, any such information found in the campaign files came from public sources.

10. I retained no files from the 1980 presidential campaign.

11. I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been released to the public.


Robert K. Gray

Subscribed and sworn to before me
this 16 day of February, 1984.


Notary Public

My Commission Expires: 10/14/84

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 5-8 are at pages 1855, 1679, 1981, and 1856, respectively.

AFFIDAVIT OF WILMA HALL

Wilma Hall, being duly sworn on oath according to law,
deposes and says:

1) My name is Wilma Hall. During the 1980 presidential campaign I was one of two night secretaries for the Assistant to the President for National Security Affairs, Zbigniew Brzezinski, and his deputy, David Aaron. I worked in the National Security Council offices on the White House West Wing first floor.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee in connection with the investigation currently being conducted by that Subcommittee.

3) I have been informed by a Subcommittee on Human Resources investigator that Messrs. Rick Inderfurth, Eric Newsom, and Loch Johnson have stated that they received typing assistance from the two National Security Council night secretaries in preparing a foreign policy briefing book to assist President Carter in his debate with then Governor Reagan. I was also informed by a Subcommittee investigator that Kathy McGraw, the other NSC night secretary with whom I worked, stated that she assisted in typing and copying parts of the debate book.

4) I have no recollection of providing any typing or photocopying assistance to Rick Inderfurth, Eric Newsom, or Loch Johnson during the preparation of the foreign policy debate briefing book in September and October 1980. I also have no recollection of ever seeing or handling the debate briefing materials during this time period.

5) I have no knowledge as to how the Carter debate briefing materials were transferred outside the Carter Administration. I have not ~~purposefully~~^{up} withheld information from the Subcommittee on Human Resources that is relevant to its investigation into the possible unauthorized transfer of materials during the 1980 presidential campaign.

Wilma B. Hall

Wilma Hall

Subscribed to and sworn before me
this 27th day of March, 1984.

Samuel L. Newman
Notary

My commission expires:

March 26, 1985.

AFFADAVIT OF STEFAN A. HALPER

Stefan A. Halper, being duly sworn on oath according to law, deposes and says:

1) My name is Stefan A. Halper. My current position is Chairman of the Palmer National Bank in Washington, D.C.

2) I am submitting this affadavit to state the facts as I know or recall them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I was director of Policy Coordination in the 1980 Reagan-Bush presidential campaign. I had three areas of responsibility in the campaign. (1) I directed an office which analyzed media reports and prepared summaries of those reports. (2) I directed the preparation of briefing books for Governor Reagan's campaign stops. (3) I directed a small group of researchers who prepared policy guidance on certain issues.

(4) Other than what I have learned from the news media, I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Federal Government information or material that had not been duly authorized to be released to the public.

5) Other than what I have learned from the news media, I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain information or material designed to be used to brief President Carter for his October 28, 1980 debate with Governor Reagan.

6) During the 1980 Reagan-Bush presidential campaign, I do not recall seeing any information or material designed to be used to brief President Carter for his October 28, 1980 debate with Governor Reagan. I have never made any statements to anyone, including those people mentioned in our meeting on October 27, 1983, that in 1980 I received or saw information or material designed to be used to brief President Carter for his October 28, 1980 debate with Governor Reagan.

7) I do not know the identity of the "White House Source" who provided President Carter's schedules, mentioned in the October 28, 1980 memo sent me by the House Subcommittee on Human Resources. (copy attached)

8) I do not recall the source of the information contained in my September 22, 1980 memorandum to Ed Meese regarding the subject, "Carter Initiative". (copy attached)

9) Excluding the document referred to in paragraph 8, and information and material concerning President Carter's schedule, I do not recall receiving or seeing, during the 1980 Reagan-Bush presidential campaign, information or material obtained from the Federal Government that to my knowledge had not been duly authorized to be released to the public.

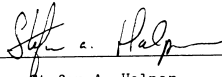
10) During the 1980 Reagan-Bush presidential campaign, I do not recall receiving information from, or having discussions with, Federal employees or officials in the White House, the National Security Council, the Central Intelligence Agency, the Department of State, or the Department of Defense, including active Armed Services personnel or officers.

11) I do not recall the source of the Carter-Mondale campaign document entitled "The Reagan Agenda", which I forwarded, with a cover memo, to Ed Meese on September 12, 1980 (copy attached)

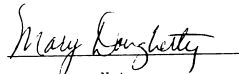
12) I do not recall the source of a Carter-Mondale campaign document entitled "Reagan Talking Points", which I forwarded with a cover memorandum to Ed Meese on September 12, 1980. (copy attached)

1170

13) I affirm that the statements in the attached memorandum given to the FBI are true and correct.


Stefan A. Halper

Subscribed to and sworn before me
this 16th day of February, 1984.


Notary

My commission expires: November 30 1986

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 7, 8, 11, and 12 are at pages 1856, 1398, 1378, and 1385, respectively.

WASHINGTON :
DISTRICT OF COLUMBIA : SS

AFFIDAVIT OF FRANCIS S. M. HODSOLL

Francis S. M. Hodsoll, being duly sworn on oath according to law deposes and says:

1. My name is Francis (Frank) S. M. Hodsoll. I am the Chairman, National Endowment for the Arts. During the 1980 presidential campaign I was the staff coordinator for the preparation of briefing books for Governor Reagan for the Anderson-Reagan and Carter-Reagan debates. I was brought into the campaign by James Baker.

2. I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3. Prior to the Reagan-Carter debate I received materials designed to brief President Carter for that debate. I specifically remember seeing materials on foreign issues and assume that I saw materials on domestic issues.

4. I believe I received the Carter briefing materials toward the end of October, 1980.

5. I do not remember who gave the Carter materials to me. I recall that whoever gave these materials to me directed me to read them. I have discussed this matter on a few occasions since late June, 1983 with David Gergen to refresh my memory. I do not remember whether Gergen was

present when the Carter briefing materials were delivered by what I assume was a Reagan campaign staffer whose name I now cannot recall.

6. I do not remember to whom I showed the Carter briefing materials, although I may have shown them to Hayden Bryan who worked on debate book preparation.

7. On June 25, 1983, I searched my personal files and found the Carter materials listed as items 2, 3, and 4 of my June 28, 1983 memorandum for Fred Fielding. I hereby affirm the accuracy of that memorandum and my July 11, 1983 letter to Chairman Albosta. I do not recall that I received the materials prepared for President Carter and the materials prepared for Vice President Mondale at different times. Both of these materials were found in my files. (Attachment I - cover sheets)

8. I have reviewed the materials I found and I believe that they had only limited influence on the content of Governor Reagan's briefing book. I have identified the only three specific instances where I believe that this may have occurred, which instances are set out in my August 17, 1983, memorandum to my attorney Charles Ruff. (Attachment II)

9. I do not remember telling Jackie Tillman that someone from the Carter camp had brought the presidential briefing materials over in a taxi.

10. I do not remember discussing the Carter briefing materials with Myles Martel during 1980. Nor do I remember any conversation with Myles Martel about a "mole" in the Carter Administration.

11. I remember that Governor Reagan's briefing books were substantially finished a week before the Wexford rehearsal sessions. There may have been some last minute minor editing.

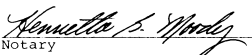
12. I do not recall that I sent any materials designed to brief President Carter to David Stockman.

13. I have made all files retained from the 1980 presidential campaign available to investigators from the Human Resources Subcommittee for their review.

14. I have no further knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been authorized to be released to the public.


Francis S. M. Hodsoll

Subscribed to and sworn before me
this 14 day of March, 1984.


Notary

My Commission expires:
April 30, 1985

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 7 and 8 are at pages 550 and 1898, respectively.

AFFIDAVIT OF MAX HUGEL

Max Hugel, being duly sworn under oath according to law, deposes and says:

1. My name is Max Hugel. My current position is President of Max Hugel Enterprises, Inc.

2. I am submitting this affidavit at the request of the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with an investigation currently being conducted by that subcommittee.

3. During the 1980 Reagan-Bush presidential campaign, I was the National Director of Voter Groups. I reported to William Timmons, the campaign's Deputy Director of Political Operations.

4. I had no role during the campaign involving the debates between President Reagan and John Anderson and between President Reagan and President Carter. I never saw Carter debate briefing material until subcommittee investigators showed it to me, and I did not know during 1980 that the campaign had obtained Carter debate briefing material.

5. I was not aware of any alleged effort by the Reagan-Bush campaign to obtain non-public information or material from the Carter Administration or Carter campaign. I do not recall that any request was made by William Casey, to myself or to others, for any private information from the Carter camp.

6. I do not know, and I have never had any contact with, an individual named Paul Corbin. The only conversation I have had with William Casey regarding Mr. Corbin occurred when Mr. Casey asked me, in the summer of 1983, if I knew Mr. Corbin. I answered that I did not know Mr. Corbin.

7. During an interview with subcommittee investigators, I was shown two different copies of an August 11, 1980 memorandum purportedly from me to Edwin Meese III (copy attached as Exhibit A). One copy was unsigned and the second copy appeared to be signed by "Max." I have no recollection that, prior to this interview, I wrote, read, saw, signed or had knowledge of this memorandum. To the best of my knowledge, the signature "Max" on the signed version of that document does not appear to be my own signature.

8. Subcommittee investigators refused my lawyers' request to provide me with copies of the August 11th memo. My counsel also attempted, on several occasions, to obtain access to the original in my files in the Reagan collection at the Hoover Institute, but the trustees of the Reagan Collection, who must authorize all access, never responded to these requests. As a result, I have been unable to review the document with my former staff and assistants to aid me in refreshing my own memory or determining the memo's validity.

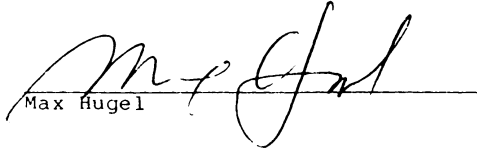
9. During my meeting with subcommittee investigators, I was also shown a memorandum dated July 28, 1980 from a Berry Crawford to Tim Kraft and others (copy attached as Exhibit B). It was

represented to me that this memo had been attached to the August 11th memo referred to in paragraph 7, above. As with the previous memo, however, I have no recollection that I had ever seen, read or had knowledge of that document, and I was refused a copy for purposes of assisting me in refreshing my recollection.

10. During my meeting with subcommittee investigators, I was shown an October 17, 1980 memorandum from Thelma Duggin to Art Teele (a copy is attached as Exhibit C). I had never before seen, read or had any knowledge of that document. I was neither its author nor its receipt, and I have no knowledge as to who may have obtained or seen this information, or why.

11. Subcommittee investigators also showed to me a copy of a September 17, 1980 memorandum from Jack Kelly to me regarding a proposed meeting with a General Ellis (a copy is attached as Exhibit D). I did receive and read this memo, and I did pass it on to William Timmons for review and action by him. I did not then, and do not now, believe that the information contained in that memorandum was obtained from the Carter campaign or Administration, or that General Ellis proposed to disclose classified information to our campaign. After I passed it on to Mr. Timmons, I had no further discussions about the topic with anyone, I do not know whether General Ellis had any further contact with campaign personnel, and I do not know the original source of Mr. Kelly's information in this regard.

12. I have no knowledge of any concerted or organized efforts by the Reagan-Bush campaign, or persons associated with that campaign, to obtain non-public information from the Carter administration or the Carter-Mondale campaign.


Max Hugel

Subscribed and sworn to before me
this 19th day of April,
1984.


Notary

My commission expires: March 14, 1989

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 7, 9, 10, and 11 are at pages 1399, 1400, 1404, and 1403, respectively.

AFFIDAVIT OF KARL F. INDERFURTH

Karl F. Inderfurth, being duly sworn on oath according to law, deposes and says:

1) My name is Karl F. Inderfurth. I am currently a news correspondent for the American Broadcasting Company. During the 1980 presidential campaign I was Deputy Staff Director for the Senate Foreign Relations Committee. I was a senior staff member at the National Security Council from January 1977 to April 1979.

2) I am submitting this affidavit to state the facts as I know them to be true to the Human Resources Subcommittee in connection with the investigation currently being conducted by that Subcommittee.

3) In early September 1980 I agreed to a request by David Aaron to prepare a foreign policy and national ~~defense~~^{security} briefing book for President Carter, for his possible debates with Governor Reagan. I later received materials from ^{David Rubenstein and} David Aaron to use in preparing the briefing book. The materials ^{may have} contained some documents that seemed to have been prepared for Vice-President Mondale.

to hang onto their captives and milk the situation for everything they can get.

- IV. What is required is a comprehensive game plan and consistent implementing tactics to enable us to achieve our objectives. The "powers that be" in Iran are to be given the message that the longer the hostages are held the greater the risks to them and their revolution. Our actions must be consistent and we must follow through. At the same time we increase the pressure on Iran, we will preserve and cultivate channels of communication necessary to safeguard against misreading of signals and to assure that no opportunity is lost for fruitful negotiations.

The strategy and tactics that follow in items A, B, C, and D are all to commence simultaneously. We will be operating on four fronts at once.

A. MEASURED AND CALIBRATED PRESSURE

We begin a graduated response to strengthen the hand of the relative moderates in Iran who want to put the crisis behind them. The objectives of this incremental introduction of power follow:

1. Get Iran worrying about what we might do next
2. Have them see a detrimental pattern developing
3. Give the United States some bargaining leverage when the "real negotiations" begin

4. Cause the Iranian regime to impose a deadline upon themselves
5. Display consistent and comprehensive action to secure the release of the hostages which will enable us to maintain the commitment of our American Constituency
6. Put maximum pressure on the Iranian Militants

While we continue to seek a negotiated solution which will enable face-saving on all sides, we immediately begin a series of measured pressure steps to penalize them the longer they hold the fifty-three hostages. Between each of these actions, we will give the other side time to react and choose the alternative of "good faith negotiations". If they do not respond, 5 days later we move to the next pressure step.

THE GRADUATED PRESSURE STEPS:

1. Mount a new campaign in the General Assembly to enlist international support for economic sanctions against Iran
2. The U.S. unilaterally imposes economic sanctions against Iran -- including grain, medical supplies and refined kerosene heating oil
3. Complete ban on the sales of military hardware, heavy machinery and manufactured goods by the "Western Allies"

AFFIDAVIT OF GEORGIA O'CONNOR

Georgia O'Connor, being duly sworn on oath according to law,
deposes and says:

1) My name is Georgia O'Connor. During the 1980 presidential campaign I was Secretary to the ^{Deputy Assistant to the} ~~Special Assistant~~ ^{President to Domestic Affairs & Policy} ~~Special Assistant~~ in the Carter Administration. *g.*

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Georgia O'Connor
Georgia O'Connor

Subscribed to and sworn before me
on this 6th day of March 1984.

Albert E. Brown
Notary

My commission expires: 5/31/88

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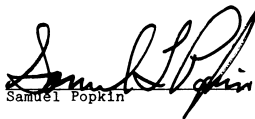
AFFIDAVIT OF SAMUEL POPKIN

Samuel Popkin, being duly sworn on oath according to law,
deposes and says:

1) My name is Samuel Popkin. During the 1980 presidential campaign I was a Political Advisor to the Carter/Mondale campaign..

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

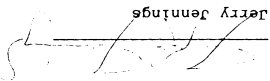

Samuel Popkin

Subscribed to and sworn before me
on this ____ day of March 1984.

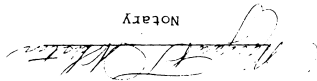
Notary

My commission expires:

9) I have no knowledge as to how such debate materials were transferred outside the Carter Administration. I have not purposely withheld from the Subcommittee on Human Resources, information relevant to the investigation now being conducted by the Subcommittee.


Jerry Jennings

Subscribed to and sworn
before me this 7 day
of February, 1984.


Notary

My commission expires:

My Commission Expires: _____

5) I became friends with Mr. Tony Dolan when I was an FBI agent in New York City in 1970. I did not provide Carter Administration information or materials to Mr. Dolan, or to his brother-in-law Mr. Robert Shortly, at any time before or during the 1980 presidential election. I do not recall seeing or talking to Tony Dolan during this period.

6) I never met with or provided any Carter Administration information or materials to Mr. Richard Allen, or to anyone else known to be associated with Mr. Allen or the Reagan-Bush campaign, during the 1980 presidential campaign.

7) While Staff Member (Security) for the National Security Council during 1980, I did not use, copy or remove documents or materials found in any government office without the knowledge of the occupant of that office.

8) I never saw or had possession of any debate materials prepared for President Carter or Vice-President Mondale during the 1980 election campaign until I was shown such materials by the FBI in 1983.

AFFIDAVIT OF HOMER DANIEL JONES III

Homer Daniel Jones III, being duly sworn on oath according to law, deposes and says:

1) My name is Homer Daniel Jones, III. I am currently associated with the firm of Drexel, Burnham and Lambert in Washington, D.C.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) From August 1980, through the 1980 election, I was a part-time volunteer in the Reagan campaign offices in Alexandria, Virginia where my primary assignment was to prepare OP/ED pieces for attribution. I worked a few evenings a week (5-8 pm) in the communications offices and occasionally on Saturday. I reported to Robert Gray.

4) At the time I was working at the campaign office I was employed full-time as Director of Government Relations for the National Clay Pipe Institute, a trade association. I left that association in October 1980, and have been employed as a stock broker for Drexel, Burnham, & Lambert since the spring of 1983.

5) In the 1980 campaign, I worked in a large bull-pen on the fourth floor of the building where many people worked, including a group from Hill and Knowlton -- John Jessar, Chuck Crawford, and Larry Speaks, brought in by Bob Gray.

6) I furnished the Human Resources Subcommittee staff with the attached documents: (1) two copies of an October 10, 1980 memorandum for the Cabinet on the subject of Economic Information, with enclosures; (2) an October 3, 1980, White House Press Office release entitled "Inflation Report"; (3) a document entitled "Guidance on Unemployment Rate and Producer Price Index in September"; (4) an October 2, 1980 memorandum for the Senior Staff, with an attachment; (5) an OMB/CEA October 2, 1980 document entitled "Analysis of Republican Budgetary Goals"; (6) a memorandum dated October 27, 1980 from Dan Jones to Bob Gray, Bill Casey, and Ed Meese regarding President Carter's schedule for October 28-November 3; (7) an October 24, 1980 memorandum for

the Cabinet on the subject of Economic Information; and (8) a draft entitled "Little White House Lies," together with a final draft, same title, with the word HOUSE caretated in. All of these documents were furnished to me by Washington Post reporter Martin Schram who said he received them from a souvenir collector who retrieved them from a trash can at the Reagan campaign headquarters. I had not saved these documents from the campaign, and I did not provide them to Schram or anyone else. The checkmark on item (6) above Bob Gray's name indicates that it may have come from the files of Gray or one of his staff.

7) In early or mid-October 1980, John Jessar, who was sitting 20 feet away, answered a phone, listened, and then said something like, "there is somebody in the lobby...can someone go down and meet some character off the street?" I volunteered and met with someone in a khaki uniform who I believe was an Air Force Sergeant. The sergeant was white, of no distinguishable ethnic background, about 5'10" with short brown hair, and in his mid-thirties or older. He wore glasses, was not too neat but was clean shaven, was not well educated, and smoked cigarettes. I believe he had a flat "garrison" type hat, which he held. I do not recall the colors of his stripes. He may have given his

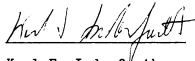
name, but if so, I do not remember it. The sergeant gave me a large brown envelope with a metal fastener on the flap. The envelope had no writing or address on the outside. I had the impression that the sergeant was a courier, and since it was evening, may have been on his way home from work. I do recall little of my 3 or 4 minute conversation with the sergeant, but I do recall his saying that he didn't like the Carter military budget and wanted to help our campaign. The sergeant said, in effect, "if you ever have to get in touch with me, here is my phone number." The sergeant thereupon wrote a phone number on the envelope.

8) I went back upstairs to the bull-pen and opened the envelope, which contained about an inch of papers. They did not look particularly interesting and I do not recall whether I read them at that time or the next evening, except for one thing that fell out of the stack -- a one page document, that was a poor xerox copy of a handwritten note from Anwar Sadat to President Carter, written in English, on stationery with an official seal of some sort, and addressed, "Dear Jimmy." The note was limited to get well wishes. I do not believe I showed the note to anyone. When I opened the envelope I exclaimed to Jessar something like, "I think we have a mole in the White House!" Nobody paid any attention.

13) Around mid-October 1980, I was asked to condense the September 29, 1980 version of the briefing book. Eric Newsom and ~~myself~~^I worked on condensing the book at night in room 404 of the Old EOB for at least one week in October. By this time we had already disposed of the documents and materials originally provided by David Aaron ~~David Rubenstein~~.

14) I do not know Paul Corbin.


15) I have no knowledge as to how the debate materials were transferred outside the Carter Administration. I have not purposely withheld information from the Subcommittee on Human Resources that is relevant to its investigation into the possible unauthorized transfer of materials during the 1980 presidential campaign.


Karl P. Inderfurth

Subscribed to and sworn before me
this 15th day of February, 1984.

City of Washington District of Columbia

STEVEN SCHROCK
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires April 30, 1987


Notary

My commission expires: *April 30, 1987*

AFFIDAVIT OF JERRY JENNINGS

Jerry Jennings, being duly sworn on oath according to law, deposes and says:

1) My name is Jerry Jennings. I am currently Executive Director of the White House Science Office, (Office of Science and Technology Policy), as well as Executive Director of the White House Science Council. During the 1980 presidential campaign I was Staff Member (security) for the National Security Council.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by the Subcommittee.

3) Prior to my position with the National Security Council, I was a Special Agent with the FBI. I also served as an Infantry Officer with the U.S. Marine Corps and as an Intelligence Officer with the CIA.

4) I met Mr. Robert Gambino when he was Director of Security at the CIA. I had no contacts either directly or indirectly with Mr. Gambino while he worked for the 1980 Reagan-Bush presidential campaign.

4) I was assisted in preparing the briefing book by Messrs. Eric Newsom ^{and} Richard Davis, ~~and Loch Johnson~~. They were

colleagues of mine from the Senate Foreign Relations Committee. *Also assisting me was Loch Johnson, an Asst. Professor at the Univ. of Georgia then on leave and working for the House International Economics Subcommittee.*

5) Along with those assisting me, I worked at night in room 404 of the Old Executive Office Building to prepare the briefing book. We began working on the briefing book early in September and completed the first version on September 29, 1980.

6) On occasion some non-sensitive debate book preparation materials were left overnight in room 404 of the Old EOB, which ^{to my knowledge} was not locked. Other more sensitive materials were taken away by us at night. I do not believe a completed or nearly completed draft of the briefing book was ever left overnight in room 404.

I believe from

7) ^{to my knowledge} Four to six different secretaries assisted in typing the briefing book in room 404 at different times in September, but I do not recall their names or whether they were volunteers from the campaign or came from the White House Correspondence Pool. David Rubenstein made the arrangements for secretarial support. ^{clean-up} Some ^{clean-up} typing and photocopying was done by NSC secretaries, probably Wilma Hall and ^{or} Kathy McGraw.

8) I did carry the briefing materials with me to work at the Senate Foreign Relations Committee, but I did not work on the

briefing book there. Nor did I ever have any of the materials typed or copied by any of the committee staff.

9) After completing the briefing book on September 29, 1980, I provided copies to David Aaron. I do not remember how many copies I provided to David Aaron, but I do recall that they were in black binders. I did not provide copies to anyone other than David Aaron, except for several ~~souvenir~~^{working} copies I retained for Messrs. Newsom, Davis, and Johnson. I did not provide these debate briefing materials to anyone else on the Senate Foreign Relations Committee staff or any other congressional staff.

10) I do not know who made copies of the September 29, 1980 debate briefing book. Nor do I know who punched holes in them and placed them in black binders. I do know that I did not make the copies and put them in binders.

11) I do not remember whether I personally gave the briefing book copies to David Aaron or whether they were delivered to his office by someone else.

12) I did not return any of the documents initially provided to me by David Aaron, ~~and David Robinson. Most~~^{and David Robinson. Most} of the documents were cut up and used in preparing the briefing book. The remaining materials were thrown away.

several Moslem Nations and spotlighted the fragility of international law when in conflict with national self-interest his behavior has received little support.

President Carter's restraint, in refusing to meet irrationality halfway, has earned the world's respect. His leadership has strengthened his administration and unified a nation that Khomeini thought he could divide.

Khomeini's constitution was ratified without public opposition but from all appearances this was a pyrrhic victory. Three provinces including nearly fifteen million of Iran's thirty-five million people are now in open conflict with the central government, either because they want regional autonomy or because they oppose the sweeping powers given to Khomeini under the new constitution.

At this writing the Khomeini tide has crested and he will come under pressure from members of his own movement to seek a face-saving way out. His power and influence is not static and cannot be frozen like food; it must grow or wane.

Khomeini must be concerned with his domestic constituencies and how they will judge the handling of this affair. His survival as the head of his "Islamic Revolution" depends on his maintaining popular support from the PARSUJAN or "the barefoot" masses. But even the poor will be reluctant to follow unconditionally and indefinitely.

As the primary target he would be singled out as the blame for all the existing frustration and evil. And President Carter who harbors him would be the secondary target, in the Shi-ite tradition of "satanic forges", which can include any secular ruler, American or other, who does injustice to Shi-ites.

3. STRATEGY AND TACTICS

Khomeini's strategy was to focus all attention on the Shah, a vulnerable target who could easily be accepted as the personification of all evil. The tactic employed to implement this plan was the Embassy seizure which would pit Moslem Iran against the Shah and Satanic America. This dramatic event would polarize Iran and conceivably the Islamic World, as the line would be drawn. Anyone who now opposed Khomeini would not be merely a political foe, but a follower of the Shah and satan and an enemy of Islam and God.

The seizure tactic would be so offensive to the United States that they might easily be goaded into over-reacting and this would ignite the Moslem World. A military attack on Iran might even prove a godsend to the Ayatollah as it would be a message from Allah: Iran and its people can cleanse themselves from past corruption, subjugation and injustices through martyrdom. The more lives sacrificed the more martyrs would be created.

III. THE SCORCAMP

Khomeini achieved some success in focusing world attention on the misdeeds of the Shah and in uniting his nation around the issue of the Embassy Seizure. Although he has created problems for the United States in

There are some problems that have no immediate solutions ---
 There are some situations that must simply be lived through --- Success
calls for the ability to sustain the tension without flight or fight ---
 The ultimate test of our maturity may consist in our willingness to accept
 the reality of our predicament and to treat it with resolve, patience
 and commitment.

I. BACKGROUND

All political extremism involves two prime ingredients: an excessively
 simple diagnosis of the world's ills and a conviction that there are
 identifiable villains back of it all. Such thinking comes easily to men
 like Khomeini who have duped themselves with delusions of their own
 unblemished virtue and the rascality of others. Blind belief in one's
 cause and an evil view of others are the soil in which the weeds of
 political lunacy and terrorism take root.

Mass Movements can rise and spread without belief in a God but
 never without belief in a devil or satan. Often, the strength of a
 mass movement is proportionate to the vividness and tangibility of its
 devil. Passionate hatred can give meaning and purpose to an empty
 life. Thus people, like the disinherited "mustazafeen", haunted by
 the purposelessness of their lives try to find a new content not only
 by dedicating themselves to a holy cause but also by nursing a fanatical
 grievance. The Ayatollah Ruhollah Khomeini movement offers them
 unlimited opportunities for both.

II. THE AYATOLLAH RUHOLLAH KHOMENI

1. THE ENIGMA

Khomeni is a man from a totally different culture and mindset who believes in the politics of division and confrontation. If you listen to his words, he is a mass of contradictions who has seemed to have lost touch with reality.

However, in Islam the use of untrue material falls within the tradition of "taqiya" which permits Moslems to "dissimulate" if they are threatened with death. The Shi-ites have expanded "taqiya" to allow the concealment of the truth for a righteous cause or in a hostile situation. There is even an Islamic saying, "It is permitted to tell a lie if it serves a good purpose."

2. HIS SITUATION

Before the crisis arose, the revolution was beginning to flounder. Strongly secular elements within Iranian society were implicitly challenging the rule of the clergy. The revolutionary leadership could not manage the economy and had proved incapable of dealing with military revolt by separatist elements in Kurdistan and other ethnic enclaves.

It was apparent that the revolutionary zeal had abated and what they had believed was a Pro-Islamic movement was in reality, an Anti-Shah uprising. Khomeni and the Revolutionary Council were looking for an issue that they could use to restore unity and purpose to their movement. The Shah's entry into the United States for medical treatment provided the issue.

frustration will begin to show in the popularity polls. With this in mind, now is the time to scrap the policy of "watchful waiting" and assert our freedom to take ominous action to influence events and secure the release of the hostages.

II. THE ALTERNATIVES

However outrageous the seizure and detention of American hostages, there is a general recognition that we cannot produce the result we want by military force alone. At this juncture we have two possible options:

A. "WATCHFUL WAITING"

This policy is predicated upon the hope that Bani Sadr and his followers will gain significant power in the elections and he will regard this as a mandate to end the stalemate.

At this writing it is unrealistic to believe that the make-up of the Iranian Maylis will be any different from the Revolutionary Council, with the same divided power relationships and rivalries. The election results will give the President a Parliament composed of a large block from Behesti's Islamic Republican Party's Coalition, smaller groups from his own and other parties and factions and many well-known personalities such as Ayatollah Khalkhali, Mehdi Barzagan, Sheib Montazeri, Masoud Rajavi and Admiral Madani.

Unfortunately several realities support this conclusion:

1. Bani Sadr's new National Congress Party is not well organized and has fielded little known candidates for fewer than half the seats at stake.
2. The right wing clerical Islamic Republican Party, which pushed through the election regulations, is the best organized group.
3. The Persian Tradition of disdaining ideology and following the charismatic personality.
4. The vast number of candidates and the complex voting system make voter manipulation a distinct possibility at the local level where the mullahs are prominent.

The probability is that we are waiting for elections that can only produce a Parliament that will spend a great deal of time in chaotic wrangling before any help can be given to the hostages -- months in which the mental and physical health of the captives will continue to deteriorate.

Even if Bani Sadr is able to gain control of Parliament and establish the legitimacy and authority of his government, are

4. Follow - up on the expulsion of Iranian Diplomats -- pursuant to the President's prior directive - ^[We ordered home 200]
^{51 have left}
^{38 sought political asylum}
^{15 are in processing that could be to deportation}
^(121 are not accounted for)
5. Make transfer of Iranian International Funds more difficult ---
 Major Industrial Nations join in freezing Iranian Assets on deposit and denying them new loans
6. Break all Diplomatic Relations with Iran and expel all their emissaries
7. Leak information through Iran's trading partners of an imminent naval blockade
8. Aircraft mining of the approaches to just one secondary Iranian Port. When the mining is announced President Carter will commit the United States to sweeping the mines as soon as the hostages are released unharmed

B. INTERNATIONAL PRESSURE

Since the still unpunished seizure of the American Embassy last November, the custom of attacking embassies has spread around the world like a plague. It is in the interest of all civilized societies to bring this matter to a conclusion and they must be encouraged to communicate their revulsion to Khomeini and the Revolutionary Council. Embassies in Teheran, especially those of Islamic Countries, can be closed or at least reduced to skeletal

staffs. We have to help President Bani Sadr show his people, his Ayatollah, and even the hostage-holders, that their revolution is being discredited in the world instead of vindicated.

America's strength in this struggle and Khomeni's weakness lie in the area of principle. For the principles that we want to vindicate are appealing to almost all other governments too: the safety of embassies and diplomats, the impermissibility of official terrorism and hostage-taking.

C. REACHING KHOMENI

Since it is often futile to negotiate with people who are lacking in authority, continued attempts must be made to influence the Ayatollah directly. Private and Religious Emissaries who do not officially represent the United States Government can be dispatched for a personal audience with the "Imam."

D. THE UNITED NATIONS COMMISSION

"Waldheim's Fact Finding Five" should publicly assert its independence from the United States and continue efforts to mediate this dispute as a "threat to world peace." The Iranians must be reminded that the Commission owes its birth to them, not the United States or the United Nations. As early as November 13th, Bani Sadr, then Foreign Minister, proposed in a letter to Mr. Waldheim that, "an inquiry into the guilt of the former Shah" should be undertaken. Everyone should be reminded that we

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*Dictated 8/24/80
R. Baker D-93*

NINETY-FIVE WALL STREET
NEW YORK, N. Y. 10003

September 2, 1980

Mr. James Baker
Reagan-Bush Committee
901 South Highland St., 4th Floor
Arlington, VA 22204

Dear Jim:

I had lunch with Herb Cohen on August 29. He is the guy that I had told you would have some hot information for us on the hostages. At the moment he is showing some reluctance to come to the fore and if he doesn't, he won't be any use to us on that issue.

However, he did make some excellent points concerning the campaign in general and strategy we should be using. You may have already considered all of them but at the risk of being repetitive, I will cite them hereunder.

- Carter's just announced plan for revitalizing American industry in the economy is his 7th economic plan in less than 4 years. What happened to the 1st, 2nd, 3rd, 4th, 5th and 6th? What was wrong with them? Why should anybody have more confidence in this one? -- This seems a pretty damn strong argument to nail him with.
- We should keep hitting hard at unemployment, high taxes and inflation. Emotional issues which can alienate large segments of the population and which are really extraneous to this campaign -- i.e., the Vietnam War matter -- should be avoided. All extraneous issues should be avoided. There are a large number of people who will not vote for a candidate who will fragment the country. The introduction of extraneous issues will fragment the country with people taking various sides on an issue that is not going to help our cause at all.
- The next point he made I think is a very good one. Reagan should go after the blacks and Spanish-Americans

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This is
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It is
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strong
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resisted not only any conditions for the hostages' release but at first, even a Security Council meeting to urge their freedom.

What is being suggested is that we publicly put some distance between ourselves and the U.N. Commission so they will be able to assume the role as "mediators". They can then go back to Teheran for a personal visit with Khomeini and should be able to meet with all of the hostages.

V. CONCLUSION

As I have said previously, "Patience Without Pressure is Perceived as Paralysis" in Iran, and "watchful waiting" will soon be regarded as appeasement in the United States. Since January there has been a steady erosion in our position as we have violated many of the Tenets of sound negotiations in giving the Iranians a kill as well as a chase as they engage in the sport of "Diplomat Hunting". The health and well-being of fifty-three innocent Americans and their families require that we stop "watching" and stop "waiting". We have options and we have the power to successfully conclude this matter but only if we act now!

1606

NINETTY-FIVE WALL STREET
NEW YORK, N. Y. 10005
August 29, 1980

*No ans.
required.*

Mr. James Baker
710 North Post Oak Road
Suite 208
Houston, TX 77024

Dear Jimmy:

The enclosed clipping from the New York Post is good ammunition for the Reagan campaign. It also should be good ammunition for the Reagan Revitalization of America program as contrasted with the Carter program. Properly used it can be very effective.

I hope that your research people have thoroughly reviewed Teddy Kennedy's comments about Carter during the primary campaign and that our speakers will use that ammunition against Carter as the Carter people are trying to use what George said about Reagan on their economic differences. The Kennedy speeches gave us a lot more ammunition than they have from what George said about Reagan.

We are praying that the campaign will really start hitting hard immediately after Labor Day.

Very best regards to you and let me know anything else I can do besides raising money in Connecticut.

Incidentally, I expect to have some very strong ammunition for Reagan and George on the State Department's and Carter administration's mishandling of the Central American political situation by the end of next week. I have asked my very knowledgeable friend supplying this information to put it in the form of a speech which can be modified by the Governor or George as needed. The area is a powder keg and largely because of inattention and maladroitness on the part of the administration and its representatives down there. It's really disgusting to see how we have thrown away good friends and giving the Cubans and their Russian masters a strong foothold.

Sincerely,

*P.S. Don't let your faith in
G. W. Bush will take more
time. I'll be back 4071*
Prescott S. Bush, Jr.

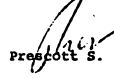
1610

is something Brock can do through the RNC by having people
all over the country monitor them and report accurately
all events.

That's all for now, Jim. Keep the faith and keep fighting.

Best regards.

Sincerely,



Prescott S. Bush, Jr.

PSB:cda

cc: Mr. William Brock

not to influence their votes. He may get a larger portion of that than Republicans have gotten in the past but the primary objective is to influence the liberals who are disenchanted with Carter, to vote for Reagan. By campaigning in areas where he is weak - i.e., such places as the South Bronx (that was definitely a plus), Harlem or other black ghetto areas or Spanish-American centers, etc., around the country, he creates a media event. The liberals and Democrats alike see him doing this and say, "Hey, Carter told us this guy was a demagogue, a torch thrower and a war-monger, etc., but here he is finding out what the problems are of less fortunate Americans. He's a good guy. We don't buy what Carter says. He's one of us." By showing a degree of humanity and admitting he screwed up when he does, the average guy, the little fellow, will identify with him.

- . He should monitor carefully Carter's use of government employees from cabinet officers right down through the ranks and of government equipment ~~for~~ⁱⁿ the campaign~~ing~~^{ing}, ~~for~~^{for} ~~the~~^{the} ~~White~~^{White} House. Herb says that the talk in the White House is that Carter will campaign only part of the time and spend most of the time trying to create an aura of presidential competence by staying in the White House. Concerning the cabinet and lower-level people, the White House expects them to work 40 hours in the first three days of the week and then spend the last two days and the weekends working on politics.

In the event that you did not see Mondale's performance before some big group last week on television in which he made a highly political speech to a non-partisan audience, he used Air Force I for that event. CBS photographed him getting back aboard Air Force I and commented on the fact that here he was using government transportation on political work. We should monitor very carefully their use of government transportation and other government facilities and make sure they're called on it. This will vastly reduce the funds they have to spend on media and other things. Maybe this

I. THE CURRENT SITUATION

The unlawful seizure of the United States Embassy and its occupants has gradually drifted from crisis to permanence. The hostages have become pawns in a never-ending center of a struggle for power taking place among Iranian Revolutionary Groups. Rival factions and personalities have been maneuvering for dominant influence, each trying to gain the ear of Khomeini, the country's supreme power. And with the failure of the United Nations Commission, it is evident that he has thrown his weight behind the advocates of continuing chaos in their conflict with those who seek a return to normalcy.

For months the militant terrorists have been comfortably secure in the knowledge that the United States would not use force against them. Now they're also certain that the Iranian government is not likely to use force either. The captors and their supporters think they have this Administration over a barrel. As President Carter's policy has softened, their position has become tougher. Behind the wrought-iron Embassy fence there is a bizarre normality and a feeling that the United States is powerless to influence their behavior.

Obviously patience was justified as long as there was hope that Bani Sadr might bring about an early solution, but even this hope is now gone. As spring turns into summer, the psychological and physical strain on the hostages and their families will become greater. There will be wholesale defections from our policy of "restraint" and this

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CONFIDENTIAL

NEGOTIATING A CONCLUSION TO THE IRANIAN CRISIS

Saturday - Mar. 15, 1980

(PAPER NO. 5)

By: Herbert A. Cohen
Consultant to Justice Dept.
and the F.B.I. in Hostage
and Terrorist Negotiations

HERB COHEN, Executive Director
POWER NEGOTIATIONS INSTITUTE
633 SKOKIE BLVD.
NORTHBROOK, ILL. 60062
312 - 564 - 9155

Obviously we should try and concoct a scheme that will allow for face-saving on all sides, but we must recognize that we are in a negotiation, and have been since the Embassy was seized. The other side will only negotiate with us in good faith if they believe that we can, and just might, bring about intended effects which they perceive might help them or hurt them. The real power in Iran is Khomeini and he is a tough negotiator who sees "concession behavior" as a sign of weakness. Although we can hope for the best, the reality is that we must be willing to take some risk, exercise power and negotiate from strength. Therefore, The U.N. Commission must be briefed thoroughly and should keep their bags packed in Teheran so that if the other side begins to "nibble" (back-off their commitments) they are prepared to return home and deny the Iranians the world publicity they they so desire.

5. NEGOTIATING THE HOSTAGES' FREEDOM

The release of the hostages from the control of the militant-terrorists will be the start of the process leading to their freedom. However, getting them safely out of Iran will not occur until after the Parliamentary Elections and after negotiating the conditions presented by Bani Sadr.

BANI SADR CONDITIONS:

1. United States admission of guilt for alleged sins and crimes under the Shah (Self-Criticism)
 - .The United States would be prepared to accept the U.N. Commissions final and critical report and this might constitute an apology.
2. Permitting Iran to pursue the Shah and the money taken from the country
 - .The United States would agree not to block Iran's legal extradition attempts
 - .Panamanian Government can hold hearings on the extradition of the Shah. Obviously Bani Sadr must give his people and the militants some evidence of his seriousness to get the Shah back. Because no extradition treaty exists and the current status of Panamanian Law this attempt will abort but the alleged crimes will be aired and the failure will not reflect upon Bani Sadr.
3. Agreement by the United States to stay out of Iranian Affairs
 - .The United States has already met this condition and we should be willing to restate our position

The power struggle in Iran is not only secular versus religious it is also one generation against another. The young who made the revolution (symbolized by the student-terrorists) are struggling for supremacy with their elders who guided it---many from a safe distance. It should be remembered that half the population of Iran is under twenty years of age and two-thirds is under thirty years.

To the majority of the people and their Ayatollah, takeover of the Embassy is a symbol of the Iranian youth's determination to be pure and resist super-power pressure. With this in mind it is unlikely that Khomeini will order the militant-students to release the hostages or even require them to make all of their captives available to the U.N. Commission.

Therefore, if the U.N. Commission is to see the hostages under conditions that are acceptable it will require considerable pressure from Bani Sadr, The Revolutionary Council, Public Opinion and the U.N. Representatives. This may be the crucial test of whether the crisis is on its way towards resolution and Khomeini's help should not be expected. Clearly his idea of leadership is not to direct public opinion but to reflect it. The "Iman" operates with sensitive antennae finely tuned to the public temper in accordance with the old Army maxim, "Never give an order they know might not be obeyed". Khomeini has always been careful not to offend his own sense of the popular will. He repudiates no one and as a result is unlikely to say anything that will undermine his surrogates (the student-terrorists). The best we can hope for is that the "Iman" remains silent and that the Revolutionary Council and, lack of popular support, evidenced by the dwindling crowd in front of the Embassy, will convince them to back down.

Thus far Bani Sadr has shown courage and maneuvering skill.³ He is gaining and consolidating power in his struggle with the militant-students and the mullahs on the Revolutionary Council. He may want to resolve the hostage crisis impasse but his primary concern must be to solidify his own political support as his National Congress Party is a new organization that will face the established Islamic Republican Party (supported and controlled by the mullahs) in the Parliamentary Election. Should his party not receive a majority all of his plans, programs and appointments could be blocked in the General Assembly. Therefore, if Sadr is as shrewd as he appears it is unlikely that he will jeopardize his dream of an Islamic-Economic Iran for the sake of fifty-three Americans. So there is little likelihood for the actual freedom of the hostages until after the General Assembly Election. America has been pulling for Bani Sadr in his power struggle with the militants and we look at him as a "moderate". However, everything is relative as Bani Sadr is no friend of America. He may fear the Soviets, but he detests American cultural and economic influence and the ways in which it transformed Iran.

4. THE STUDENT-TERRORISTS

Like the Chinese Red Guards, the young militants took their cue and justification from a revered revolutionary patriarch and set out to revive his revolution -- gone soft and secular. It should be evident that these terrorists will not release their hostages unless given a direct order by Khomeini or unless they recognize that they are no longer able to generate public support for their position.

Should our needs not be met during the visit of the Commission to Teheran, the U.N. body must be prepared to leave the country at once. Also the Commission's report should not be made public until all of the fifty-three hostages are safely out of Iran. It is essential that we not rely on the good will of the other side as "they perceive patience without pressure as powerlessness." Their bare words should count for little in a situation that has been illegal, immoral and dishonorable from the outset.

3. PRESIDENT BANI SADR

From all indications, Bani Sadr would like to see the hostage situation resolved; not because he sympathizes with the U.S. or the innocent captives, but because he regards this matter as diversion from his goals. He would like to secure the return of the frozen Iranian assets and install the institutions of government swept away in the revolution a year ago.

However, Bani Sadr is a one man show--he's an independent, uncommitted to the religious or left wing parties. The fundamental religious forces are still smarting from their defeat in the Presidential Elections (but they are still the majority in the Revolutionary Council) and they may be giving him just enough encouragement in the hope that he'll stumble. If Bani Sadr gets too far out in front of the "general will" (the overwhelming public opinion) he will lose Khomeini's support, and the mullahs will gain in the March 14th general election.

Established and Hostages released simultaneously" to the present situation. In essence we have made concessions to them and should be getting something in return if they are negotiating in good faith.

The Commission itself meets the needs of both Iran and the United States at this point in time. The Iranians will be given an air of legitimacy and publicity for their charges and grievances and it will provide justification for their illegal seizure of the American Embassy. For the United States it should give us the opportunity to determine the condition of each of the fifty-three captives, enable us to transfer the hostages to a third party and serve to help them "blow-off steam" which will be the first step in meeting their needs and securing the release of our people. If this negotiation is to be successful, safeguards must be established so that both sides fully meet their needs.

If Iran's track record holds up, we might anticipate that they will use the Commission to get world publicity about the Shah's crimes and make another attempt to change American public opinion. At the same time we can expect them to attempt to deny access to all of the hostages -- except the few who would testify in support of their charges against the Shah and the United States. Furthermore, it is highly unlikely that they will be willing to free the hostages in the near future as Iranian public opinion has not been adequately prepared.

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1. CURRENT STATUS

From all indications a framework for negotiating the release of the hostages seems to be moving into place. Bani Sadr has given his three conditions for the release of the captives and has omitted Iran's prior demand for the return of the Shah and his fortune. President Carter has responded by publicly accepting the idea that a commission formed by Kurt Waldheim might inquire into Iran's grievances -- providing the inquiry is narrowed to a carefully defined purpose.

In spite of these positive developments and the encouraging statements made by Bani Sadr, Ayatollah Behesti and even President Carter at his press conference, there are signs that the release of the hostages will not occur for some time. It should be noted that, there are conflicting statements coming from Teheran, Khomeini has yet to speak publicly on when and how the hostages will be released and sufficient time has not elapsed to get the militant - terrorists and Iranian public opinion used to the idea.

Although the establishment of the International Commission is a big step forward we should not be disarmed by some of the recent conciliatory statements coming from Teheran. We are still involved in a negotiation with a tough adversary who is trying to extract as high a price as it can in the sale of fifth-three hostages. The arena may be International Diplomacy and the stakes human lives but the Iranians are negotiating like rug merchants in the classic Persian Bazaar.

2. Although the establishment of the U.N. Commission is a positive development, great care and patience must be exercised before it is dispatched to Teheran. Specific procedures, rules and the scope of inquiry must be established and the Iranian public and militant - terrorists must believe that these hearings are what they have been seeking all along. Obviously these hearings will enable Iran to publicize their grievances, to explain the rationale for their revolution and to display the depth of their feelings that resulted in the Embassy Seizure.

In return for giving Iran the concession of the International Commission before the hostages are released, we must receive written guarantees from the Revolutionary Council. At best these guarantees will state how and when the fifty-three Americans will be set free, or at least a written pledge that all of the hostages will be interviewed privately and that they will then be taken out of the hands of the militant - terrorists and placed in a form of "Diplomatic Escrow" (the International Red Cross, The Swiss Embassy, The Algerian Government or in a hospital supervised by the Revolutionary Council.

It should be recalled that the United States has come a long way from our talk of "tightening the screws" and making Iran pay "an increasingly higher price" each day the hostages are held. We have adopted a different approach as a result of the Afghanistan invasion and what we perceive is a changing mood in Teheran. However, we have backed down from our November position of "No Commission until hostages are released" to "The Commission

that they have about the alleged complicity of the United States.
Our government will agree to cooperate with the tribunal which the
Iranians will use to publicize their grievances.

2. Assurances from the U.S. Government that we will not take punitive economic or military action once the hostages are released.
3. A public statement by the United States Government accepting the legitimacy of the present Iranian government and our public promise not to intervene and support any counter-revolutionary efforts.
4. The cooperation of the United States in unfreezing Iranian assets and restoring any funds that were allegedly misappropriated by the Shah.

And if necessary -----

5. The U.S. Department of Justice would agree to look into any of the alleged violations of law committed by the Shah's representatives (against Iranian students) within the United States.

13. AFTERMATH

It should be remembered that patience without pressure is often perceived as paralysis and offers little protection to the vulnerable hostages. Ultimately the handling of this crisis will be determined not just by whether we eventually secure the release of the hostages. Success will also be measured by whether our action encourages future undertakings of this nature, whether we gained respect and prestige among our allies and the Third World and how is our willingness to use power perceived by our possible future antagonists.

7. Temporarily jam all radio and T.V. transmissions in Iran severing communications within the country.
8. Aircraft mining of the approaches to Kharg Island and the mining of other Iranian ports, cutting off all trade by sea. When the mining is announced, President Carter will commit the United States to sweeping the mines as soon as all the hostages are released unharmed.
9. After suitable warning to avoid casualties to civilian personnel put Abadan Kerosene Refinery out of commission with a military operation.

Presumably on some of these economic sanctions we will have the support of our allies but in some instances we must be willing to act unilaterally to avoid any inordinate delay. What is important is that we begin the incremental pressure building, measuring the reaction as we go and always leaving opportunity for negotiations.

12. NEGOTIATING CONCESSIONS

Once the government of Iran agrees to discuss the release of our citizens we should be prepared to try to meet our needs as well as theirs.

In direct negotiations with Iran they might be able to win from us the following concessions:

1. The guarantee that there will be an International Tribunal that will air the alleged crimes and corruption of the Shah and any evidence

for Viet Nam War Crimes, have Bruce Laingen brought to the Embassy and host a World Conference of Liberation Movements) or have the Ayatollah settle this matter without sustaining a loss of face.

Although dealing with the Embassy militants will rest primarily with the Imam, he must be able to justify to them that the outcome has made their efforts worthwhile. Since they cannot get the Shah back he will have to assure them that they will have a chance to make their case against him before the world.

11. THE GRADUATED RESPONSE

Some Iranian leaders now believe that the hostages have served their propaganda purpose and should be expelled. The present pressure and threat of Western economic sanctions could reinforce their argument that, "We made our case to the world; why pay more for it with further injury?" But it would take more knowledge than we now possess to exactly fine tune the pressure to be exerted on Iran. Of course if this measured and calibrated pressure begins to look like an effort to intervene in Iran's internal politics, it would only help the extremists there. The valid objective of this graduated response is the release of the hostages. That makes these measures a supplement to our attempt to begin face to face negotiations not a substitute for it. Measures that hobble and dislocate the Iranian Government are preferable to those that would devastate and directly injure the Iranian people. And all measures should be reserisible, clearly related to the safety and release of the fifty hostages.

Thus far we have tried to secure the release of the hostages through Legitimacy, Diplomacy and Moral Persuasion -- all to no avail. At this point we must continue to seek a negotiated solution which will enable face-saving but at the same time commence a series of measured pressure steps to penalize them the longer they hold our citizens illegally. Between each of these actions we must give the other side time to react and select the face-saving alternative of negotiation.

American power and resolve should be introduced in this order:

1. Complete ban on the sales of military hardware, heavy machinery and manufactured goods by the West.

2. Major industrial nations join in freezing Iranian assets on deposit in their respective banks and denying them new loans.

3. Formally break all diplomatic relations with Iran.

4. Establish a military presence on Masirah Island that we have leased from the Sultan of Oman.

5. Aircraft mining of the approaches to just one of the secondary Iranian ports.

6. Occupy the islands of Tumb and Lorak (once garrisoned by the Iranian military) in the Straits of Hormuz.

Since this is the first time that Iran has a strong incentive to negotiate with us, we should exploit this propitious opportunity. We must try to open several negotiation channels at once using the Third World Islamic Nations (e.g. Bangladesh, Kuwait and Pakistan) to point out to Khomeni and key members of his entourage that the Soviets are now the real pagans and imperialists. In addition to these contacts we should continue to work through Kurt Waldheim and also consider sending a black American religious leader who is acceptable to Khomeni on an unofficial private visit. Obviously, there is also our U.S. Charge d' Affaires L. Bruce Laingen who is also in touch with members of the Iranian Foreign Ministry.

Although our negotiation posture has always been that we would not discuss any Iranian grievances against the Shah until after the hostages are released, we might want to indicate some flexibility if these meetings are fruitful. (It is suggested that we offer the Iranians a chance to make their case against the Shah in some international forum that they do not regard as rigged against them; and that we might also offer them an opportunity in courts of law to reclaim the money that the Shah allegedly took from their country.)

10. DEALING WITH THE CAPTORS

At this point the embassy militants realize that they are not going to get the Shah back but need help in extricating themselves from this situation. They desperately need some new surprises to keep this going to bring back the crowds (they've tried to, put Col. Roeder on trial

it weakens the American geopolitical position around the world. Obviously power is meaningless in the absence of a willingness to take risks and employ it.

9. STARTING NEGOTIATIONS

Most of the frustration in the Iranian Crisis stems from the absence of any credible authority with whom the United States can negotiate. In Uganda, when missionaries were threatened there was Idi Amin and in Central Africa when an A.P. Correspondent was beaten unconscious there was Emperor Bokassa. But Iran does not seem to have a functioning government that has any concept of diplomacy.

The situation in Iran, muddled always, seems to be shifting. Although trying to determine what is going on in Iran is like reading tea leaves, vague suggestions have come through lately that some sense of reality may be coming to those ruling Iran. If so, we probably owe that as much to the Soviets as to anything we've done. Their invasion of Afghanistan, including the assassination of its President, simply has to effect the Iranians.

If it is to survive, Khomeini's regime must shift its concentration from the cancer-stricken Shah in Panama to the Russian bear at the door. Facing the chilling news that the Soviet Union's 66th Motorized Rifle Division in Afghanistan is but a day's march from Iran's oil fields, they ought to see that the hostages are now a distraction.

flashes of public passion and a deluge of Christmas cards, complacency has reigned. Americans appear to have accepted the status quo as one on which they can have little impact.

Domestic demonstrations successfully reversed U.S. policy in southeast Asia and turned around attitudes toward Civil Rights. It would seem that a peaceful mass demonstration of hundreds of thousands could easily be organized outside the Iranian Embassy or someplace in Washington, D.C. For a country that prides itself in our ability to sell ideas and products we may have been abysmally slow in getting the truth about the depth of American feelings across to the Iranian people.

8. THE NEGOTIATION STRATEGY

We must convey by our graduated response that each day the hostages remain it will cost Iran more and the risks to their Islamic Republic will be greater. These measured and calibrated retaliatory steps must leave them time to react to pressure without appearing to succumb and with a chance for face-saving.

Therefore, we must not fully define the threat nor set any deadlines for action. Even if military operations are not contemplated we should never exclude the use of force. This also relates to our relationship to the Soviet Union where the strategy of deterrence rests on the conviction that they will be held in check only if they believe that in some undefined circumstances we will resort to overwhelming power. So by rigidly excluding the use of force, we not only do a disservice to the hostages, but

the treatment of these Americans is part of a plan to depersonalize them so they can be used for political purposes. They are being kept in isolation and sleep is controlled which effects their central nervous system and will ultimately lead to post-captivity psychological trauma and harm.

The present siege not only threatens the hostages but for every day it continues, it strengthens the hand of those to whom the freedom of innocents and non-combatants means nothing and makes it more certain that they will take more of our hostages in the future. To the extent that we become objective about "them" and decrease our efforts we are all being held hostage too.

7. AMERICA UNITED

Even after more than three months there are still some Iranian leaders and militant students who may believe that we are a people divided over the hostage crisis. As long as they think that, if they can convey their message to the American people about the alleged crimes of the Shah, President Carter will be pressured into delivering the ousted ruler into their hands, the hostages will be held.

Although Americans are banded together in support of the hostages in a manner not seen in this country since the days of World War II, more must be done to get this message of solidarity across to the other side. Why not mount an offensive to convince the Iranian militants that America is unified in its determination not to cave in to extortion? Except for a few isolated

However, over the past few weeks there have been no more interviews on National Iranian Radio and Television, the crowds have disappeared and the audience of hundreds of correspondents eager to receive their daily communiques are gone. The Embassy Seizure tactic has dragged on so long it has become a "drag". They are beginning to feel the effects of this isolation and are wondering, "What do we do next?"

6. THE HOSTAGES

In most of our official pronouncements we have fallen into the habit of speaking of, "the hostages" and "these people" not of individual human beings being held captive. To much of the world, the hostages (almost invariably spoken of in the single collective term) have all but ceased to be perceived as individuals suffering daily humiliation and facing an uncertain, perhaps catastrophic future. *

From all indications there has not been a sufficient concerted attempt by our government officials to humanize them as individuals, to keep their separate personalities alive in the public mind. This approach has also been adopted by the media and it has contributed to one of the cruelest of the effects of the crisis. By constant collective reference to the hostages as a nameless, faceless group we have institutionalized and dehumanized them and made them more vulnerable to possible harm.

Even at this date it is important that we tell the individual stories of those being held and provide more information about the conditions of their captivity. Not only was the taking of hostages a pre-planned event but

B. PRESENT PREDICAMENT

Iran today is pure chaos being held together by the issue of the hostages and hatred of the Shah. With each passing day economic paralysis, anarchy and corruption take a greater hold on the fabric of the country. The new privileged class -- the clergy, has turned the revolution entirely to its advantage, seeking to impose an Islamic dictatorship by snuffing out all opposition.

For Ayotollah Khomeini and his ruling Revolutionary Council, the current situation is quite serious. Islam is still a unifying force in Iran, but it has now been seen by the public at large to have divisions. If negotiations with the various national groups fail, the use of force will be necessary to restore authority. Even if the national government possessed this capacity, this option by itself risks further disunity. Furthermore, the Embassy seizure accompanied by the Anti-American mania may have outlived its usefulness (in view of the developments in Afghanistan) as it is making Iran vulnerable to Soviet subversion and outright aggression.

C. THE MILITANT STUDENTS

At the outset the militants who seized the Embassy were on top of the world. They not only had the mighty United States over a barrel but were interviewed every hour by the media. The chanting crowds and the attention of the world reinforced their actions and made their sacrifices worthwhile.

The difficulties facing Khomeini's theocracy, imposed on a near-modern technological society, are insurmountable. Elsewhere it might work but Iran is a vast country, populated by complex communities, and a dramatically uncomfortable geopolitical situation. His solutions will not solve their problems because they are simplistic, rigid, legalistic, theocratic and elitist. These characteristics will intensify conflict and produce and aggravate schisms.

5. THE CURRENT SITUATION

A. BACKGROUND

The seizure of the United States Embassy was seen by Khomeini as a heaven-sent opportunity to direct attention away from the country's real problems. It gave him the opportunity to purge all secular elements from the revolution and to brand all opposition as tools of the Shah, C.I.A. and the United States. Using the students' action as a rallying point the new Islamic Constitution was overwhelmingly approved in a referendum. Had this vote been followed by a period of tranquility the hostages would have served their purpose and negotiations could have been undertaken to secure their release.

But instead, the outcome of the referendum provoked conflict and raised the specter of national disintegration as ethnic minorities in the provinces claimed autonomy from the Persians around Teheran. In a broader sense, these disturbances questioned the political legitimacy of Ayatollah Khomeini's rule.

by death. Whenever the Ayotollah claims to be doing something in Allah's name, while following Koramic precepts, it becomes virtually impossible for anybody to challenge him without risking violence and bloodshed. The brave but incredibly naive Bahktiar was doomed from the time Khomeni opened his mouth to proclaim that, "obedience to the Bahktiar regime is obedience to Satan."

Khomeni worships strength and has no compassion for weakness as evidenced by toleration or humility. Once he finally came to power the United States may have erred in its hasty recognition and attempt to placate him. Our instant turnabout was meant to win favor; in fact he thought that the American about face was dishonorable. The rapid shift of position also caused the new Iranian government to question just how firm American "recognition" would be to them. If recognition was meant to be a token of humility that may also have been a mistake as humility is no more appreciated by Khomeni than compromise.

Although Khomeni's first inclination is to resist any compromise, when faced with overwhelming power he does back down. In March 1979 several thousand chanting Iranian women pressured him to compromise his dress code for females working in Government Ministries and he did a complete reversal from his initial unwillingness to negotiate with Kurdish Rebels. Furthermore, even though he despises the products of Western Civilization he returned to Iran in a Boeing 747 Airplane and has built and maintained his revolution with the aid of cassette recordings, radio and television.

Iranian leadership, that he was bluffing and that restraint is an unwillingness to exercise power.
Certainly we would be hurting our bargaining position if we displayed a reluctance to act unilaterally in the face of government-sponsored terrorism. And it is not our intention to purchase the lives of fifty hostages at the cost of thousands of others by conveying that we are unwilling to take risk.

3. THE MILITANT STUDENT/TERRORISTS

From the outset the "students" behaved with farsighted cunning. They read correctly our original disinclination to respond militarily, which made their bombastic statements about "martyrdom" so easy to declaim. They have manipulated our media with a skill that indicates they may actually once have been university students.

True, they haven't gotten their Shah back, but it is not far-fetched to speculate that they never really believed they could attain this goal. Rather, their primary ideological intention may have been to inflict a political defeat on the United States and the West.

Although these militants, calling themselves, "The Students Following the Path of the Imam," may be comprised of some extreme radicals, it is reasonable to assume that they will follow the lead of Ayatollah Khomeini.

4. THE KHOMENI VORTEX

To enter Ayatollah Khomeini's world one must abandon such humanistic guidelines as democracy, individual freedom and political morality and adjust to the medieval mind where state and religion are one, expediency is the sole moral and political norm and dissent equals heresy -- punishable

1. THE EMBASSY SEIZURE

In the "Iranian Hostage Crisis" we are not dealing with an instance of some fifty Americans being kidnapped by an unknown terrorist group. We are faced with an action which, if it was not actually planned by the highest Iranian leaders, was publicly, officially and loudly endorsed by them. These leaders used this event to try to restitch the fabric of their revolution which was splitting at the seams and to rally and mobilized the masses to promote the self-sacrifice necessary to build the country.

The hostages have become the rallying point for revolutionary unity. They are not the end but a means toward recognition, national commitment, power and worldwide publicity. These leaders are clearly out to damage American prestige and influence in the world. They know exactly what they are doing, and what they perceive it is in their interests as newly installed revolutionary leaders to do.

2. AMERICA'S RESPONSE

Thus far the policy of President Carter has been well conceived and generally well received. He has set no deadlines or committed himself to irrevocable actions. He has used time and very slowly increased the pressure while giving the American people sufficient impression of action to avoid losing their confidence. However, we are now approaching a point of risk. Too little pressure and too much delay might persuade the American public, as well as the

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CONFIDENTIAL

CONCLUDING THE IRANIAN CRISIS

UPDATE

SATURDAY - JAN. 19, 1980

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propaganda and vindication for their activities.

If there is a trial we must respond through intensified economic and diplomatic pressure. However, we must always remember that the threat of a food embargo or blockade or even the use of military force is more terrifying than the event itself.

VII. CONCLUSION

We must always remember that any agreement to negotiate is dependent on the perception of the other side as to the advantages of ending the confrontation. The matter will not be resolved to our satisfaction until they perceive that we have something under our control that they want.

Therefore, it is essential that we approach this problem on many fronts with different tactics and action. In essence a Graduated Response involving the whole civilized world. We can and will influence their behavior based upon their experiences and needs.

The Soviet Strategy has two objectives:

1. Using this episode to encourage Anti-American Attitudes among all the Arab and Moslem people.
2. Ultimately replace the Islamic government in Iran with a pro-Marxist Regime allied with Iraq or even absorbed into the Soviet Orbit.

2. AMERICAN PUBLIC OPINION

The criminal seizure of the U.S. Embassy in Teheran was one of the hinge events in our thinking. The guilt and trauma of Vietnam is gone and the use of U.S. power in the world will no longer be tightly prescribed. Americans are looking to the White House for leadership and direction and they perceive they are getting it.

VI. FUTURE SCENARIO

The hostages will be placed on trial, to expose to the world, and especially to the American people, the way their Embassy conspired with the Shah to thwart the will of the Iranian people. Most of them will be convicted and Khomeini as the "faghib" will grant them amnesty and expel them from the country.

The trials or tribunal will be open to the public and will be designed to show to the whole world that the Shah was an American-installed and supported tyrant.

There can be little doubt that the leaders in Iran need a "public Carnival" that will be called a trial. This media event will be used to expose and denounce the Shah and to gain world publicity for its grievances against the United States. In essence, their real need left unsatisfied to date, is more

5. THE SHAH

The further statements or coverage of the shah can only serve to exacerbate this delicate situation. He must be kept away from the media and even the appearances of Mr. Armao or information about his visitors, activities, or medical condition should be discouraged.

Hopefully he can remain in Texas under a figurative news black-out until face to face negotiations begin. Once we can gauge the reaction that his departure will have, we can always make the concessions of his formal abdication and his departure from the United States for political asylum elsewhere.

V. RELATED MATTERS1. THE SOVIET UNION

The ambivalent attitude of the Kremlin regarding this crisis should not be surprising. Obviously the longer this continues, the weaker will be the Ayatollah's control and the more the Soviet surrogate's will inherit.

They are positioning themselves for maximum propaganda gains regardless of the outcome.

4. SAFEGUARDING THE HOSTAGES

Ghotbzadeh has agreed in principle that an outside observer, such as a clergyman or Red Cross Official, will be allowed to visit the hostages. We must have, foreign ambassadors in Teheran, world opinion and intermediaries maintain pressure until this promise is met and an observer sees all fifty hostages.

There is always the possibility that a certain percentage of the "students" holding the hostages are Marxist Fedayeen or representatives of other radical-leftist elements. If this be the case (there is always a danger that the hostages might become hostage to one faction against another.)

Because of mob psychology and the considerable rhetoric coming out of Teheran there should be concern that events have escalated beyond the entourage that purports to govern Iran. When the hostages are ultimately released it will undoubtedly take a personal appearance on the part of Khomeini who will have to negotiate with the students.

Therefore, we will eventually need Khomeini, so any attempt to undermine him in the eyes of his followers at this time may be counter-productive if we are concerned about the safety of the hostages.

3. LIVING UP TO THEIR OWN WORDS AND TEACHINGS

No organized group, including even the Shi-ite religion as revealed by Khomeini, can live up to the letter of its own book or pronouncements. This was understood by Paul of Tarsus when he wrote to the Corinthians: "Who also hath made us able ministers of the New Testament; not of the letter, but of the spirit; for the letter killeth."

Since all effective action requires the passport of morality or religion we must point to their own teachings and use it to persuade them: It is not only their religious teachings which are being violated in holding these hostages but their own new constitution is being subverted as well.

The Constitution's 32nd principle states, "Unless otherwise prescribed by law, no one can be arrested arbitrarily. When an arrest is made, the accused must be immediately informed of the reasons for the arrest. The case of the accused must be sent to legal authorities."

The students who continue to hold the fifty Americans in the U.S. Embassy in Teheran are violating all aspects of this provision of the Constitution which they claim was approved overwhelmingly.

Principle 39 of the Constitution reads, "An individual who is in prison or under legal arrest cannot be subjected to indignity or insults. Contravention of this principle is punishable by law."

Certainly, the American hostages have been subjected to indignities and insults. Why are they allowing their own teachings and laws to be violated?

2. USING THE MEDIA

The Iranian Government has been trying to use the media to get its message through to the whole world and particularly the American people. They have been conducting diplomacy through news dispatch, interview, telecast and street demonstrations.

Members of this Administration, especially President Carter, must make effective use of the media to communicate our resolve to the other side and maintain the commitment of the American people. In these messages we must reiterate our position which is based on justice, morality, religious teachings and law. The value of repetition should not be underestimated as it helps fix our position in their mind and reduces their expectation level. Of course, a Presidential Fireside Chat will also help maintain the support and solidarity of all Americans in this time of crisis.

Greater efforts must be made to "humanize" the 50 hostages. This criminal act will appear even more outrageous to the world if we saw these hostages in human terms. Who are they? What are their names, backgrounds, ages, vulnerabilities and personal needs? The visit of the families to the State Department on December 7th was a good start but more can be done. It is important that world opinion see these people as fifty specific innocent human beings and not as a general mass.

1. OPENING CHANNELS FOR NEGOTIATION

Use should be made of intermediaries from Moslem, Third World and Western Nations who have representation in Teheran. Personal contacts should be made by these representatives with a view toward achieving three limited initial objectives:

1. Establishing some relationship with Khomeni, Members of the Revolutionary Council and Influential People in the Iranian Government and clergy.
2. Getting the parties to agree on a statement of the problem that exists to develop some common ground and trust.
3. Obtaining personal guarantees and commitments from these individuals regarding the safety of the hostages.

In addition to these intermediaries (like SHAHUL HAMEED, Foreign Minister of Sri Lanka) we should also make use of acquaintances of Revolutionary Council Members and Khomeni himself who are residents of the United States. It would also be helpful to have KURT WALDHEIM personally go to Com for face to face negotiations with Khomeni and those around him.

As things progress and some willingness to resolve this matter is evidenced by the other side, we can then consider an Informal Presidential Representative -- someone with the appropriate credentials who is not currently a formal member of this administration (e.g. Rev. Andy Young).

This is the time to accelerate our efforts with the religious holidays
 after the referendum passed and the exhilaration stemming from the Embassy
 siege are subsiding. It must be remembered that any tactic (the capture
 of the Embassy) that drags on too long becomes a drag. The students and
 the people of Israel can only sustain militant interest for a limited time,
 after which it becomes a ritualistic commitment, like their daily prayers.

IV. COURSES OF ACTION

We must continue to keep the psychological pressure on Iran by heightening its sense of isolation in the world. The issue is not Iran versus the United States and a contest of wills, but Iran versus the World on the matter of International Law. Our President and Representatives must reiterate that, "the issue is not what happens to the Shah but what happens to the hostages."

There must be continued contact by members of our Government with our Allies, Third World Nations, The Soviet Union and especially The World's Moslem Nations and Moslem Religious Leaders. We must urge all of these parties to communicate with Khomeni and the Revolutionary Council to use their special relationship and prestige to urge that the hostages be released. These contacts with this disparate group should be personal meetings and not formal diplomatic requests.

At the same time, we must continue to pursue this matter at the United Nations and the International Court of Justice to keep the issue narrowed to the illegal seizure and give our cause the stamp of "Legitimacy."

Since the situation in Iran is not static we must be adaptable to shifting circumstances and sensitive to the process of action and reaction. We must not be trapped by our own tactics --- thereby forced to travel a road not of our own choosing. In essence we must have a comprehensive approach to achieving our objectives so we can have a degree of control over the flow of events.

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CONFIDENTIAL

NEGOTIATING THE "IRANIAN CRISIS"

UPDATE

SATURDAY - DEC. 8, 1979

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Can the United States become indifferent to what will ultimately occur in Iran?

The absence of a strong central government and the spread of anarchy will eventually undermine even Khomeini's authority. It is impossible to govern any country over an extended period of time with only popular spontaneity and frenzy.

Should the United States try to have a relationship with a "geriatric zealot" or take its chances with a new regime that might end up in the Soviet Camp?

At this juncture, the alternatives appear depressing:

- . Chaos under the Ayatollah, which would cause the west to be denied Iranian Oil or
- . The Ayatollah being deposed and replaced by a Soviet Satellite Government. For the Soviets, Iran is the gateway to the Persian Gulf Oil, which they will need in a few years, and it will fulfill long-standing Russian objectives going back to the Czars.

might reassure the paranoia of Iran's leaders who remember the C.I.A. backed pro-Shah coup d'etat of 1953.

5. Buy Back Some Military Hardware

The United States might agree to buy back some of the more sophisticated military equipment purchased by the Shah.

Of course, there is always the much discussed concession which calls for the Shah to leave America as soon as practicable. My own opinion is that if the Shah were to suddenly leave for Mexico or elsewhere, while the hostages were being held, the Teheran mob's festive air could easily turn to frustration and then hostility. These are mercurial people and it's hard to predict how they might react. The risk of this option at this point is too high in my judgement.

V. IMPLICATIONS FOR THE FUTURE

Although the Iranian Crisis could mark a watershed in America's prestige and power, I have confidence that the "calculated cool" and persistence of this Administration will succeed.

We may even have to suffer through the outrage of several American diplomats being put on trial, but if we maintain our national resolve and are patient, our objectives will be achieved. The final scenario may even have the Ayotollah granting amnesty and the involvement of the PLO, but it should all work out.

The real danger that exists in Iran is the long range implications stemming from these events and the questions that they pose for U.S. Foreign Policy.

1. Determination of Shah's Medical Condition

- A. Iranian Doctors review Shah's medical records and speak to the physicians who treated him.
- B. Independent Panel of Medical Doctors examine the Shah.
- C. Iranian Doctors examine the Shah and his medical records.

2. Legal Proceedings in the United States

- A. The Iranian Government can commence extradition proceeding in Federal Court where the Judge will hold administrative proceedings open to the public. Ordinarily the Shah would have the right of asylum as a political refugee, but this would not apply to "Crimes Against Humanity and Other Heinous Crimes", providing his trial would be in accordance with International Law.
- B. The Iranian Government might also institute suit in our Courts for repatriation of the huge sums which the Shah allegedly took from Iran.

3. A United Nations Tribunal Could Hear Grievances

The United States would agree to support a resolution for a U.N. Tribunal to hear the charges and grievances against the Shah. This world-wide publicity might give them some measure of satisfaction.

4. Public Reaffirmation of U.S. Policy of Non-Intervention

The United States might be willing to reaffirm our current policy of not interfering in Iran's domestic affairs. This

Members of the Iranian Government and the Revolutionary Council will meet with representatives of the President providing that these contacts are kept secret and they believe that some concessions and adjustment of position are possible.

Although we may not be willing to send the Shah back to Iran, we may ultimately have to yield something which will give the Ayotollah a way out and enable him to "save face".

IV. FACE-SAVING CONCESSIONS

If we are to break the current impasse and achieve our objectives, we must change the present psychological climate. The Iranians must feel that they may have something to gain in negotiating in good faith and much to lose if they don't.

Obviously, we must have something to offer the Ayotollah and his revolutionary council so they can appear like "winners" to the terrorist mob that they have set in motion. We must remember that to the disinherited "mustazafeen", he is God's agent and to humiliate him in their eyes, we risk the lives of the hostages.

Therefore, we must be prepared to make concessions to the Ayotollah (far short of returning the Shah) to "give him a way out".

Some possible concessions follow:

Hostage taking is perceived by the terrorist as an effective way for a weak organization or nation to extort concessions from a much more powerful institution or government. The terrorist can always be reasoned with, providing:

1. They trust the person they are dealing with
2. They are convinced that there is something to reason about

With this in mind, we must select people who can make contact with Ayotollah Khomeni or those who can influence him:

- . Acting Foreign Minister Bani Sadr
- . Ayotollah Mohammed Behesti
- . Sadegh Ghotbzadeh
- . Syed Ahmad Madani
- . Sub-Ayotollah Moosavi Khoymeni
- . Mohammed Mofatteh
- . Ayotollah Hussein Ali Montazeri
- . Mustafa Chamran

The people selected by the President to begin these secret contacts should be individuals whom the Iranians feel they can identify with and trust. Probably one individual who meets these criteria is Andrew Young, because of race, prestige, religious affiliations and the circumstances of his departure from the United Nations.

15. Confer with the Japanese and West Germans about the possibility of a Naval Blockade of Kharg Island at the head of the Persian Gulf
16. A dramatic show of force in the Arabian Sea

Obviously these sequential activities and actions will be announced or leaked to the media, so that the Revolutionary Council will get the message that the longer the hostages are held, the greater the risks to them.

At this point, while we are taking the initiative on several fronts (Diplomatically, World's Moslem Nations and Religious Leaders, International Forums, and via Presidential Graduated Response), it would be appropriate to begin face to face negotiations with Khomeini and those who exert influence on him and the Revolutionary Council.

It should be remembered that what is happening in Iran is Terrorism: A political act ordinarily committed by an organized group, involving the threat of death to non-combatants. In a world more accustomed to placing more value on ends than means, the terrorist is the supreme pragmatist. No deed is too brazen or grisly, as long as it gets the job done: the change of social structure or the sought after revolution.

4. Frozen Iranian assets of Central Bank of Iran
5. Halted training of Iranian Military Officers

What is suggested is that we continue this "graduated response" while always remembering that restraint is not paralysis. It is recommended that every other day we take action to indicate the pattern to follow to the other side:

6. Cut off loans from Import/Export Bank
7. Seize Iranian-built facility at McGuire AFB used to stock spare parts inventory
8. Confer with exporters about the feasibility of cutting our exports of medical supplies and refined heating oil to Iran
9. Meet with Canada, Australia, Brazil and Argentina about the possibility of an embargo of agricultural products to Iran
10. Prohibit all exports of food to International Brokers where the ultimate destination is unknown
11. Begin to establish contacts with Kurdish nationalists in Iran
12. Step-up military aid to Turkey
13. Improve relationship with government of Saddam Hussein of Iraq, who has been making overtures to the West
14. Send representatives to see the Sultan of Oman who offered to let us use the Island of Masire as a staging base

We must remember that "it takes time to get used to a new idea". By having everyone in this Administration repeating that the Shah will not be extradited and saying it over and over again, it will reduce the expectation level on the part of the Iranians.

B. Presidential Action

The one element that the Iranians perceive they have going for them in this negotiation is "Time". They are counting on the lack of patience that Americans exhibit and our tendency to eliminate ambiguity by "getting it over with". Therefore, it is important that we "Do not abandon mature design to gratify our momentary passion", and at the same time put pressure on them so that they begin to feel their own "deadline".

In all negotiations, concession behavior will not occur until the approach of the deadline, so we must go back to the use of time and resume our graduated response and the use of incremental leverage. This Presidential action will make Iran feel the pressure of time and also help maintain the commitment of the nation as we pursue our negotiation objectives.

Thus far our government has taken the following action in dealing with this crisis:

1. Stopped military parts shipments
2. Halted Iranian oil imports
3. Established procedures for registration of Iranians with the INS

- . Bani Sadr, their Acting Foreign Minister, is planning a Seminar for foreign correspondents, at which time evidence against the Shah will be presented.
- . The Draconian Press restrictions formerly in existence have been suspended since the hostage-taking.
- . The relatively cordial welcome and courtesies extended to Congressman Hansen, Republican of Idaho.
- . On Tuesday, November 20th the Associated Press, which was expelled from Iran in September, was allowed to open a bureau office in Teheran.
- . The Ayotollah's version of "affirmative action" where he releases the women and blacks.
- . The staging of the release of some of the hostages replete with banners, chanting and full media coverage.

At this point, it is important that the President appear before the American people on T.V. to explain our position and ask for their patience and support. President Carter must reiterate our resolve that the Shah will not be sent back as it would dishonor our country and that giving into blackmail and terrorism would only invite further episodes of this type.

maintain the commitment of politicians and the American people.

Our President must be seen as doing something to gain the release of the hostages without sacrificing our principles.

If Americans perceive this Administration as "doing nothing", individuals and groups will break ranks and some may even take reckless action on their own.

In essence, this Administration has two inter-related problems:

- A. Maintaining the national resolve and solid commitment behind our Spokesman and Sole Negotiator - - President Carter.
- B. Taking action which will bring pressure on Iran so that we can achieve our objectives.

A. Maintaining National Commitment

There is ample evidence to support the statement that Khomeini and his associates have been attempting to appeal to and divide the American people to put pressure on President Carter:

- . On Sunday, November 18th, they paid \$18,250 to print a full page ad in the N.Y. Times.
- . The Ayotollah's granting of interview to the three major T.V. Networks. The time allocated was even in accordance with their ratings.
- . On November 22nd, the Ministry of National Guidance sponsored a lunch for the entire foreign press corps and showed a propaganda film about Iran.

this may take time, the Court can enjoin the Iranian Government from their continued violation of a foreign embassy on its soil.

Bring this matter before the United Nations General Assembly or Security Council via an Emergency Session as a clear violation of the 1st principle of the U.N. Charter - - that force or threat of force should not be used to achieve National Political objectives. One matter that we can get world agreement is the narrow issue of the safety and sanctity of Embassies. This specific issue can be voted on in a formal resolution rather than a consensus resolution.

The use of International Forums will provide us with the additional benefit of making contacts with current members of the Iranian Government. No matter how we try to narrow the discussion to the hostages, it will still give Iran the chance to give public vent to their fury against the Shah and the U.S. Even this limited publicity may serve to meet the needs of the Iranians.

2. ACTION BY THE PRESIDENT

Up until now President Carter has been leading us through the Iranian Crisis with admirable restraint and patience. However, for good or evil, this situation has awakened Americans from the "trauma of Viet Nam", and in the coming weeks he will be under intense pressure (especially if trials are actually held) to

Therefore, the need to unify disparate groups around a central issue to divert their attention from the immediate problems. And, this unifying diversion is the SHAH.

2. To Have a Contest of Wills with the United States to Influence

Others

Khomeini and the Revolutionary Council need to take on the United States to whip up emotions and use this opportunity to export their ideas of fundamentalism to all of Islam's half billion adherents.

Examples of this are in evidence from the Teheran banner which proclaims "Khomeini fights - - America trembles" to the Ayotollah's own words, "This is not a struggle between the United States and Iran. It is a struggle between Islam and blasphemy".

3. To Gain a Victory for their "Moral Absolutism" to keep the

Cultural Revolution rolling.

There are members on the Revolutionary Council who believe that their Islamic Revolution still has a long way to go. They must revitalize the flagging spirits of their supporters and make sure that power does not drift back into the hands of the secularists. Like China's Cultural Revolution, they must keep things stirred-up to bring their unfinished revolution to a new phase.

We can expect that this frenzied psychodrama will be maintained through November 29th as Moslems observe MOHARRAN, and, obviously, until Khomeini gets the referendum vote on the new Constitution scheduled for December 2nd.

I. THE CARTER ADMINISTRATION'S OBJECTIVES

1. Secure the safe release of all the hostages held in Iran.
2. Preserve the United States' reputation in terms of Prestige and Power.
3. Insure respect for International Law - - i.e., the concept of Diplomatic Immunity.

II. THE NEEDS OF KHOMENI AND THE REVOLUTIONARY COUNCIL

1. To unify their divided country around a central popular issue.

By the end of October it was evident that the revolution had gone sour. Disaffection had been mounting among secular elements in Teheran and "the movement" was unable to deal with its real problems:

- . Excommunication of middle class that helped topple the Shah - - leaving only the mullahs and downtrodden poor as a constituency.
- . Kurdish independence movement.
- . Problems with Iraq and Saddam Hussein.
 - Renounced 1975 treaty
 - Abduction of Iraq Ambassador
- . Barzagan and cabinet dissatisfaction with long-awaited constitution.
- . Arab discontent in Khuzistan Oil Fields.
- . Economy in shambles.
 - Food shortages
 - Lack of medical supplies
 - Scarcity of refined heating oil

B. World's Moslem Nations and Religious Leaders

- . Encourage statements by the World's Moslem Nations that Khomeini does not speak for their faith. The word "Ayotallah" means "a reflection of Allah", but this behavior is bringing their religion into disrepute.
- . Contact Islamic Mullahs throughout the world to send the message to Khomeini that, "the holding of these innocent hostages is something the Shah would do and that he is giving Allah a bad name".
- . Moslem Leaders must remind Khomeini that their tradition requires safe treatment of the hostages and to harm them would be against his own teachings.
- . All Moslem religious leaders must make contact with their Iranian counterparts to remind them of the Koranic injunction: "No soul shall bear another's burden".

The stand taken by the Arab nations is very important. Up until now Iran has been disappointed by their lack of moral support. Ayotollah Hussein Ali Montazeri even publicly attacked them for their "passive attitude toward the American imperialist campaign against Iran".

C. International Forums

- . The U.S. should appeal this illegal seizure to the International Court of Justice at the Hague. Although

III. STRATEGY TO ACHIEVE OUR OBJECTIVES

1. MOBILIZE WORLD OPINION

The issue must be broadened from Iran versus the United States and a contest of wills to Iran versus the World on the matter of International Law.

We must increase the psychological pressure on Iran by heightening its sense of isolation in the world. In essence we must try to have the responsible world communities draw a line around Iran.

A. Diplomatic Pressure

The issue is International Anarchy which should concern all civilized nations.

- . Press for a diplomatic boycott of Iran (or at least the reduction of representation) as long as the crisis lasts.
- . Urge American Allies to reduce their economic involvement in Iran.
- . Continue to encourage all Nations to communicate with Teheran regarding the breach of International Law.
- . Ultimately, begin discussions with Western Nations about the possibility of a commercial boycott of Iran's imports and exports.
- . Leverage must be applied to Iran by the Third World Nations (especially Kuwait, Algeria, Turkey and Pakistan) as well as the Soviet Union and Saudi Arabia.

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OFFICERS, LITERALLY LIES ONLY FOR CHARGE LAMIN

1. THESE: 150100Z, 7/25/79 (TAROFF, PETER)

FROM THE SECRETARY

CASE: 150100Z

REMARKS: 150100Z TO 150100Z IN 150100Z

1. AS WE AGAIN CONSIDERING HOW TO RESPOND TO THE SPY'S CONTINUING QUERY TO US THROUGH VARIOUS CHANNELS REGARDING ESTABLISHING RESIDENCE FOR HIMSELF, SPE SISTER, AND HIS FAMILY IN THE U.S. (HE CAN REMAIN IN MEXICO AS LONG AS THROUGH CORRECTION.) I SHOULD LIKE TO HAVE YOUR PERSONAL AND PRIVATE EVALUATION OF THE EFFECT OF SUCH A MOVE ON THE SAFETY OF AMERICANS IN PAN (ESPECIALLY THE OFFICIAL AMERICANS IN THE COMPANY) AS WELL AS ON OUR RELATIONS WITH THE GOVERNMENT OF PAN.

2. WOULD YOU ANSWER TO THE QUESTION POSED IN PARA 1 BE DEVELOPMENT IF (A) THE SPY RENOUNCED HIS CLAIM AND THAT OF HIS FRIEN TO THE TROOP, OR (B) THAT HE AGREED TO CONCEAL HIS IDEOLOGICAL ACTIVITIES OF ANY SORT AND THAT THIS BE CONSIDERED FOREVER.

3. WE ENTIRELY UNDERSTAND THAT THE KEY TO MINIMIZING THE EFFECT OF THE SPY'S ACTIVITIES WOULD BE IN PANAMA AND THE GOVERNMENT'S WILLINGNESS AND ABILITY TO FACE A SITUATION IN WHICH THE SPY AND HIS FAMILY WOULD BE IN THE COUNTRY OF OUR PEOPLE AND TO MINIMIZE ANY ADVERSE PUBLIC REACTION AGAINST OUR PEOPLE OR OUR RELATIONS.

SINCE THIS QUESTION IS BEING VERY CLOSELY HELD IN WASHINGTON, I WOULD APPRECIATE YOUR NOT SPARING THIS MATTER WITH ANYONE ELSE ON YOUR STAFF. PLEASE SEND YOUR FINAL RECOMMENDATION FOR THE SECRETARY. WITH BEST REGARDS.

WENDY

BT

1542

C O N F I D E N T I A L

NEGOTIATING THE "IRANIAN CRISIS"

By: HERBERT A. COHEN
Consultant to Justice Dept.
and the F.B.I. in Hostage
and Terrorist Negotiations

SUBMITTED TO STATE DEPT.
SATURDAY - NOV 24, 1979

Herb Cohen, Executive Director
Power Negotiations Institute
633 Skokie Blvd.
Northbrook, Illinois 60062
312-564-9155

THE WASHINGTON POST
Tuesday, March 25, 1980

... Hansen's conclusions tend to confirm stories I have been reporting since 1974. Numerous high officials—deciding for me President Nixon, former directors of state Henry Kissinger and William Rogers and former CIA director Richard Helms—starkly patronized the shah. Helms' secret aid would turn into a military force and proceed while the royal disaster pushed oil prices into the stratosphere.

The favors they received in turn from the occupant of the Peacock Throne came perilously close to bribery in some cases.

...

Indeed, he claims to have evidence that prompt congressional hearings could have brought the hostage home last November.

The two committee chairmen Hansen reported to—Rep. Edward Boland (D-Mass.) and Henry Hyde (D-Ill.)—are tough-minded and independent enough to pursue the requested inquiries no matter how high the embarrassment reaches. And Hansen's evidence suggests that it is not a question of officialdom.

The shah's affidavit for former secretaries of state is detailed in several parts of Hansen's reports. Hansen quotes at length from my column of Dec. 10, 1979, charging that Kissinger could have dissuaded the shah from leading the run-

services of the Rogers firm to members of the royal family," Hansen concluded. Furthermore, Hansen notes, "I can find no evidence that either Mr. Rogers or his firm registered as agents for a foreign government" while representing the Pahlavi Foundation and the shah, as required by law.

Finally, Hansen charges that Rogers may have played "a major part in a series of events that eventually led to the shah's deposition and the shah's flight to the United States."

I have some additional evidence that I've voluntarily shared with Hansen. In June 1974, I was tracking down rumors that the shah had given large sums of money to the Nixon reelection campaign. Out of nowhere, Rogers called me and categorically denied the story.

Then Rogers' law firm followed up with a telegram stating the firm had been "retained by the embassy of Iran" to communicate with me on the Nixon shah story. This too, was less than a year after Rogers' departure from government in September 1973.

My associates Joe Spear and Gary Cohn called Rogers' office three times for comment on Hansen's charges, but were told he was too busy to talk. On request, they put their inquiries in writing, but had received no response by the time I went to press. In the past, Rogers denied any conflict of interest, insisting that he handled only "real estate work" for the shah's foundation.

4/29/80 J. Hansen



United States
of America

CONGRESSIONAL RECORD

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, FIRST SESSION

Vol. 125 WASHINGTON, WEDNESDAY, DECEMBER 5, 1979 No. 472

HANSEN'S IRAN TRIP

SPEAKER pro tempore. Under a order of the House the gentleman from Idaho (Mr. Hansen) is recalled for 60 minutes.

HANSEN. Mr. Speaker, 32 days have elapsed since the Americans in Embassy in Tehran were taken into custody, which has caused a major crisis and international tensions leading to the doorstep of nuclear war. There is a vacuum in Tehran where there is no free American with any authority whatsoever, official or unofficial, to look in on the hostages. The State Department is locked up there, and unfortunately they also seem to be locked out. We have had, on two occasions, mid-level representatives of the State Department for some debriefing. However, as I tell my colleagues that even though many Members of Congress, including some in the leadership, have asked that certain people in the

Mr. Monsieur, our Vice President said today that no outside observers have been allowed to see the hostages for 10 days, that neither have there been international observers allowed in. In fact, there has been no one except Iranians to see the hostages besides myself since the first 4 days, when four Ambassadors gained access.

This is why I went. Someone had to do something. I went through normal channels and got there. I am going to establish a nongovernmental or unofficial relationship with the Government of Tehran. It seems we have not been very imaginative in establishing a relationship to begin a dialog with the Government of Iran.

For those of you who wonder what I accomplished, I would like to lay it out. First, my visit gave comfort to the hostages and their families, and I think I have not been too humble in claiming that I did.

Second, I did gain useful intelligence.

They are very much in support of doing something to peacefully resolve this problem and bring the hostages home safely. They are very much looking toward helping the Congress accumulate facts and information as it looks into the matter of charges against the Shah and other issues as was done in the Korean situation and like problems.

Also, my dialog with my fellow Congressmen, both in general bipartisan meetings and also in structured meetings, has been favorable. There is good understanding and generally received nothing but ambivalence for the use of mercy to see the American hostages, and at least demonstrate that somebody could and would do something.

Mr. SYMONS. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I yield to my colleague from Idaho.

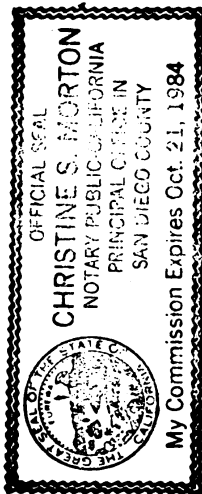
Mr. SYMONS. Mr. Speaker, I thank my colleague from Idaho for yielding. I could like the gentleman to stand for his courage, and tell him that I welcome his return, and I am happy that he returned safely here to be back in

State of California } ss.
 County of San Diego }

On this the 23 day of April, 1984, before me,
Christine S. Morton,
 the undersigned Notary Public, personally appeared
Samuel Popkin,

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence
 to be the person(s) whose name(s) was subscribed to the
 within instrument, and acknowledged that he executed it.
 WITNESS my hand and official seal.

Christine S. Morton
 Notary's Signature



AFFIDAVIT OF JODY POWELL

Jody Powell, being duly sworn on oath according to law,
deposes and says:

1) My name is Jody Powell. During the 1980 presidential campaign I was Press Secretary to the President.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

4) A "Notice to the Press" is not a press release. It can be used as the basis of a story about the President going somewhere, but it cannot be quoted. Schedules and summary schedules for the President are for the guidance of reporters and their news desks only. They cannot be published and are not public documents.

Jody Powell
Jody Powell

Subscribed to and sworn before me
on this 6th day of March 1984.

Notary
Notary

My commission expires: October 14, 1986

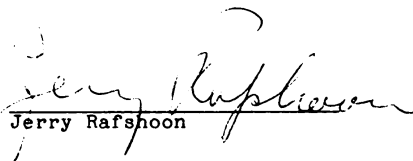
AFFIDAVIT OF JERRY RAFSHOON

Jerry Rafshoon, being duly sworn on oath according to law,
deposes and says:

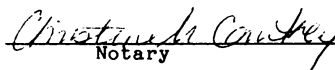
1) My name is Jerry Rafshoon. During the 1980 presidential campaign I was a Political Advisor to the Carter/Mondale campaign.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.


Jerry Rafshoon

Subscribed to and sworn before me
on this 2nd day of March 1984.


Notary

My commission expires: November 14, 1988

AFFIDAVIT OF KATHLEEN A. REID

Kathleen A. Reid, being duly sworn on oath according to the law, deposes and says:

1) My name is Kathleen A. Reid. During the 1980 presidential campaign I was Special Assistant to the Assistant for Domestic Affairs and Policy, in the Carter Administration.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Kathleen A. Reid

Kathleen A. Reid

Subscribed to and sworn before me
on this 2nd day of March 1984.

Daniel J. Mark
Notary

My commission expires:

12/14/88.

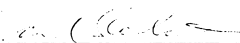
AFFIDAVIT OF JAMES ROWLAND

James Rowland, being duly sworn on oath according to law,
deposes and says:


1) My name is James Rowland. During the 1980 presidential campaign I was Staff Assistant, Domestic Policy Staff, in the Carter Administration.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.


James Rowland

Subscribed to and sworn before me
on this 12th day of March 1984.


Notary

My commission expires:

Iver D. Tanner
Notary Public for the State of Columbia
My Commission Expires 7-15-1984

AFFIDAVIT OF DAVID M. RUBENSTEIN

David M. Rubenstein, being duly sworn on oath according to law, deposes and says:

1) My name is David M. Rubenstein. I am currently an attorney with the Law Office of Shaw, Pittman, Potts, and Trowbridge, in Washington, D.C. During the 1980 presidential campaign I was Deputy Assistant to the President for Domestic Affairs and Policy.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I began preparing the domestic issues debate briefing book around the second week of August 1980.

4) I recall that a night secretary named Donna Firkin typed most of the initial version of the domestic issues briefing book and my secretary Georgia O'Connor typed most of the final version.

5) I worked on the briefing book in a number of places including my office, the vacated office of Les Frances on the first floor of the West Wing of the White House and possibly in room 402 of the Old Executive Office Building.

6) I never circulated the draft briefing book but I did circulate information on themes in the briefing book to several senior White House officials through their secretaries.

7) The domestic briefing book was finished on Wednesday October 22, 1980, and Jim Rowland made 13 copies of the book, during the night of Thursday October 23, 1980.

8) Copies of the completed domestic briefing book were distributed on October 24, 1980 to Messrs. Eizenstat (3 copies), Rafshoon, Franks, Jordon, Carp, Caddell, Powell, Crawford, Watson and myself. President Carter received the original.


9) The foreign and domestic briefing books were revised at Camp David on October 26, and 27, 1980.

10) I was informed by Counsel to the President Mr. Lloyd Cutler, and his staff, that the debate briefing materials were considered presidential and governmental, ~~and that non-Hatch~~
~~government officials could work on the materials on government~~
~~working on them were not authorized to have access to them~~
 time.

11) I have no recollection of ever possessing the foreign policy debate materials prepared by Denis Clift for Vice-President Mondale.

1228

12) I have no knowledge as to how the debate materials were transferred outside the Carter Administration. I have not purposely withheld from the Subcommittee on Human Resources information relevant to the investigation now being conducted by that Subcommittee.



David M. Rubenstein

Subscribed to and sworn before me,

this 20 of February, 1984.
M. J. Nibery


Notary

My commission expires:

My Commission Expires August 14, 1987

1224

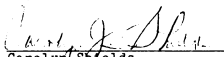
AFFIDAVIT OF CAROLYN SHIELDS

Carolyn Shields, being duly sworn on oath according to law,
deposes and says:

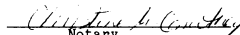
1) My name is Carolyn Shields. During the 1980
presidential campaign I was Executive Assistant to the Press
Secretary to the President.

2) I am submitting this affidavit to state the true facts
as I know them to the Human Resources Subcommittee of the House
Post Office and Civil Service Committee in connection with the
investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were
transferred outside the Carter Administration in 1980. I am not
purposely withholding from the Subcommittee on Human Resources,
information relevant to its investigation into the possible
unauthorized transfer of materials during the presidential
campaign.


Carolyn Shields

Subscribed to and sworn before me
on this 1st day of March 1984.


Notary

My commission expires: March 11, 1984

1) My name is Leslie Sorg. During the campaign I was a researcher working at the Reagan-Bush Headquarters. Frank Hodson was my immediate supervisor for the most part.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) During the campaign I saw what appeared to be Carter briefing material in the Reagan-Bush Headquarters. I cannot remember if it was a cover sheet, heading or what characteristic that made me believe it may have been briefing material for the Carter-Reagan debate.

4) The material I saw was on regular size paper, was not bound and was a xerox copy. I do not recall handwritten notes, tabs, or questions and answers based on the pages I viewed. I recall not looking at every page.


5) I reviewed the material very briefly, perhaps 5 or 10 minutes. I do not remember who gave me the material, or who I returned them to, or if it was the same person. I do not remember if my supervisor Frank Hodson gave the material to me, or if I returned them to him.

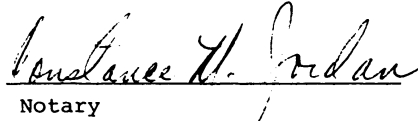
6) The material I was shown may have resembled the attached material (provided with the affidavit drafted by the Subcommittee) but my memory is too vague to be sure. I do not recollect if the material dealt with foreign policy, domestic policy or both. But I did not look at every page, as I recall three years later.

7) I do not remember the exact date I saw the material, but I do remember that, when I saw them, the Reagan briefing book appeared to be substantially completed.

8) I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.

Subscribed to and sworn before
me this 8th day of March, 1984.


Leslie Sorg


Notary

My commission expires: July 31, 1988

AFFIDAVIT OF MITCHELL F. STANLEY

Mitchell F. Stanley, being duly sworn on oath according to law, deposes and says:

1) My name is Mitchell F. Stanley. During the last four months of the 1980 presidential campaign, I was Executive Assistant to Mr. Edwin Meese, III, who was Chief of Staff for the Reagan Bush campaign. I am now Director of the Special Trade Missions Office at the Department of Commerce. Until recently, I was Special Assistant to the Counsellor to the President of the United States, Edwin Meese, III.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) My principal duties during the campaign were to assist and support Mr. Meese in any way possible. Some of the specific tasks I performed were to help supervise the record keeping associated with Mr. Meese's function as Chief of Staff of the campaign, to review Mr. Meese's mail, and to carry out special assignments at his direction.

4) Mr. Meese's deputy was Mr. Robert Garrick. When Mr. Meese was away from the office, Mr. Garrick on limited occasions

acted for Mr. Meese. I gave Mr. Garrick a ride to work each day.

5) I am acquainted with Mr. Stephen McCormick. I was introduced to him by Mr. Garrick. I believed that Mr. McCormick wanted to work in the campaign and broker this into a job in the administration should Governor Reagan win the election.

6) I did not realize that Mr. McCormick had left messages for me on 29 occasions during August, September, October and November 1980 until the Subcommittee showed me the attached message slips. I do not recall the meaning of any of the handwritten messages on these slips.

7) I do not remember ever asking Mr. McCormick to obtain materials from the White House for the Reagan Bush campaign. Specifically, I do not remember asking Mr. McCormick to obtain press notices about the President's schedule, issue papers, copies of speeches, press releases or other items out of the White House.

8) The Subcommittee showed me the attached memorandum from Mr. Garrick dated December 10, 1980, which recommends Mr. McCormick for a position in the White House Press Office. Now, after nearly four years, I do not remember what specific materials Mr. McCormick supplied to the Reagan Bush campaign out of the White House. I do recall seeing, during the 1980 presidential campaign, a copy of a White House press summary that

I believe came from the Ford Administration.

9) I also remember seeing during the 1980 presidential campaign, floor plans or blueprints for the Old Executive Office Building that were shown to me by Mr. Scot Faulkner.

10) The Subcommittee has informed me that Tom Casey, a driver for the Reagan Bush campaign, recalls making pick ups at my direction from a person in front of the National Press Building in Washington, D. C. I may have requested this as Mr. Casey asserts, but I have no specific recollection of doing so.

11) I do not know why Mr. Garrick's memorandum of October 3, 1980, a copy of which is attached, has the handwritten note "bcc: Mitch Stanley" on it. I was told by the Subcommittee that copies of this memorandum were found in the files of both Mr. Meese and Mr. Garrick at the Hoover Institution.

12) I hereby confirm the statement in my August 18, 1983, letter to Chairman Albosta that I retained no files from the 1980 presidential campaign. I believe that any files that I was responsible for would have been shipped to the Hoover Institution and would most probably be identified as Mr. Meese's files.

13) I have no knowledge of any effort by the 1980 Reagan Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980

Carter Mondale presidential campaign, material or information that had not been duly authorized to be relased to the public.

Mitchell F. Stanley

MITCHELL F. STANLEY

Subscribed and sworn before me this

16th day of April 1984.

Franklin D. Lyon

Notary

My commission expires: My Commission Expires January 21, 1986

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 6 and 8 are at pages 2018 and 1857, respectively.

AFFIDAVIT OF DAVID A. STOCKMAN

David A. Stockman, being duly sworn on oath according to law, deposes and says:

1) My name is David A. Stockman. I am Director of the Office of Management and Budget. During the 1980 presidential campaign I acted as a "stand-in", first for Congressman John B. Anderson and then for President Jimmy Carter in debate practice sessions to assist Governor Ronald Reagan in preparing for campaign debates.

2) I am submitting this affidavit to state certain facts, to the best of my knowledge, to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) On or about October 21, 1980, James A. Baker, III called me and asked me to be the stand-in for President Carter during upcoming debate practice sessions. I interrupted my own campaign for reelection to the House of Representatives to fly to Washington late on or about the afternoon of October 22.

4) On or about October 23, 1980, I called someone at the Reagan-Bush campaign headquarters and asked that I be sent information to help me prepare for my role as the Carter stand-in. I do not now know whom I spoke with at the campaign headquarters. I do not know whether members of my congressional staff had contacted anyone at campaign headquarters earlier to obtain information to assist me.

5) A stack of papers was delivered to my congressional office in response to my phone call. I do not now remember how or by whom the papers were delivered.

6) The material delivered included briefing papers that had been prepared by the Reagan-Bush campaign and a large number of short issues papers dealing with domestic and foreign matters, which argued the position of the Carter Administration in an advocacy fashion based on facts in the public record. To the best of my recollection none of the short issues papers contained markings indicating that they were official government business, and none was classified

in any way. I used the papers among many others to prepare for my role as Carter's stand-in, in which I spoke during debate practice sessions for approximately two minutes per topic. As a Member of Congress, I had been a vocal critic of the Carter Administration on many of these issues and knew the arguments pro and con, but I was somewhat less familiar with other issues. I found the short issue papers, written from the Carter Administration perspective, useful in preparing outlines of the possible debate answers representing the Carter position. As noted, these papers were but one part of the material provided to me by the Reagan-Bush campaign. I also made much use of the material prepared by the Reagan campaign in carrying out my debate role of challenging Governor Reagan's positions.

7) I attended a large meeting at the Reagan-Bush campaign headquarters on October 23, 1980, where debate strategy was discussed and tapes of the 1976 Carter-Ford debates were viewed. I remember that I already had begun working with the material delivered by the campaign before this meeting.

8) I do not remember whether or not I discussed the Carter materials with my congressional office aides in 1980. I may have discussed them then with George Will and William Van Cleve. I did not discuss these materials with James Baker, William Casey or Ronald Reagan in 1980.

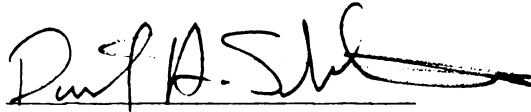
9) According to press reports whose reliability I do not doubt, I referred to the papers as "pilfered" when speaking before the Optimist Club in Cassopolis, Michigan, on October 28, 1980. As indicated, I did not know how the papers came to the Reagan-Bush campaign staff. My statement was colorful, not descriptive, and was meant only to convey that I assumed that the material had not been delivered to the campaign by the Carter camp. I have no knowledge as to how the material was obtained, and I do not recall having any discussions in 1980 with anyone about the source of the Carter materials.

10) I have not retained any of the materials I used to prepare for these mock debates.

11) I have made all my existing files that relate to the matter under investigation available for review by investigators from the House Human Resources Subcommittee.

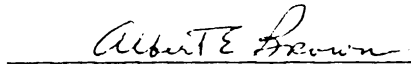
12) I hereby affirm the statements in my June 23, 1983, letter to Congressman Don Albosta and the statements in my June 28, 1983, memorandum to Fred Fielding, copies of which are attached to this affidavit.

13) I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.



David A. Stockman

Subscribed to and sworn before me
this 9th day of March, 1984.



Notary

My commission expires on:

May 31, 1988

EDITOR'S NOTE.—The documents referred to in this affidavit in paragraph 12 are pages at 140 and 153, respectively.

AFFIDAVIT OF JACKIE TILLMAN

Jackie Tillman, being duly sworn on oath according to law,
deposes and says:

1) My name is Jackie Tillman. I was a volunteer worker in
the Reagan-Bush campaign.

2) I am submitting this affidavit to state the true facts
as I know them to the Human Resources Subcommittee of the House
Post Office and Civil Service Committee in connection with the
investigation currently being conducted by that Subcommittee.

3) I remember that the debate briefing book for Mr. Reagan
was finished at about 3:00 am on October 25, 1980, the day before
the rehearsals began at Wexford.

4) I have a very ^{uncertain} vague recollection that on that same
morning, perhaps about 10:30 am, in a discussion with David
Gergen he mentioned something about someone coming over from the
Carter campaign in a taxi bringing Carter campaign materials
related to the debate preparation. I had the impression that
this had occurred fairly recently. I did not see the materials.

5) I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.

Jackie Tillman
Jackie Tillman

Subscribed to and sworn before me this
15 day of February, 1984.

Olga D. Neal
Notary

My commission expires: 15 August 1987

AFFIDAVIT OF MARGARET TUTWILER

Margaret Tutwiler, being duly sworn on oath according to law, deposes and says:

1) My name is Margaret Tutwiler. I am a Special Assistant to the President of the United States. During the 1980 presidential campaign I was responsible for scheduling for the Vice-Presidential Candidate, Ambassador George Bush.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) During the 1980 campaign I had a conversation with James A. Baker, III, during which he told me, in essence, that he (Baker) had received Carter campaign or briefing materials from William J. Casey, which he (Baker) passed on to the Reagan debate people. However, I do not recall Mr. Baker's exact words.

4) I do remember that he and I were wearing casual clothing during the discussion so I think that the conversation took place on a weekend rather than during the work week. I also remember that the conversation took place in Mr. Baker's 4th floor office. No one else was present at the time. I was in Mr. Baker's office on normal routine business probably having to do with the travel of Ambassador George Bush. I was not called to Mr. Baker's office to specifically discuss the briefing book. The part of our meeting that was devoted to discussing the briefing book could have lasted anywhere from five to fifteen minutes in length. I do not remember the exact amount of time that I was in Mr. Baker's office on this day. I did not see the material he referred to.

5) I do not remember the sense of heightened expectation that I associate with the period immediately preceeding the debate. For this reason I think the conversation took place several weeks before the debate.

6) I did not attach great importance to the conversation and I remember Mr. Baker disparaging the value of the Carter materials. However I did consider the information to be a campaign secret.

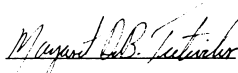
7) When I read an advance copy of Mr. Barrett's book I was not surprised by the revelation about the campaign having Mr. Carter's briefing book.

8) I reminded Mr. Baker about our 1980 conversation during the week of June 19, 1983, and memorialized this reminder in a memorandum to Fred Fielding dated June 28, 1983. A copy of this memorandum is attached to this affidavit.

9) Mr. Baker recently told me that he believed he had given the Carter material to Dave Gergen who was responsible for preparation of Governor Reagan's debate briefing book.

10) I have known and worked for and with Mr. Baker for several years and I have great respect for his honesty and integrity. My memory is good, and I am confident he made the statement to me in 1980 that is described above and in my memo to Mr. Fielding.

11) I have no knowledge of any effort by the 1980 Reagan-Bush presidential campaign, or anybody associated with that campaign, to obtain from the Carter Administration, or the 1980 Carter-Mondale presidential campaign, material or information that had not been duly authorized to be released to the public.


Margaret Tutwiler

Subscribed to and sworn before
me this 17 day of February, 1984.


Notary

My commission expires: 12/14/88

EDITOR'S NOTE.—The document referred to in this affidavit in paragraph 8 is at page 2047.

AFFIDAVIT OF WILLIAM VAN CLEAVE

William Van Cleave, being duly sworn on oath according to law, deposes and says:

1) My name is William Van Cleave. I am currently a Professor at the University of Southern California in Los Angeles and Director of it's Defense and Strategic Studies Center.

2) I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) During the 1980 Presidential Campaign, I was the principal assistant to Richard Allen for defense issues.

4) From the spring of 1980, through the election, I worked in an office at Potomac, Inc., Richard Allen's firm, which is located at 905 16th Street, N.W.

5) In October of 1980, while in my office at 905 16th Street NW, I received a black binder containing materials about one or two inches thick, in question and answer format which I understood to be debate briefing material prepared for President Carter.

6) I do not remember who delivered the material to me or to whom I gave it after I had received it.

7) I do remember hearing at the time that David Gergen and Frank Hodsoll were taking credit for obtaining the book.

8) On Saturday, October 25, 1980, I rode back to Washington with David Stockman from a debate rehearsal at Wexford. Mr. Stockman mentioned during the ride that the Carter debate materials were of "great use" in helping him prepare for his role as a stand-in for President Carter.

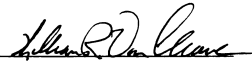
9) I acknowledge that I did write the original documents which are reproduced and attached to this affidavit (Attachments I and II).

10) During my October 21, 1983 interview with the Subcommittee's staff, I was shown a copy of foreign policy and national security debate briefing materials prepared for President Carter dated September 29, 1980 (cover pages appended as Attachment III) and a copy of foreign policy and national security debate briefing materials dated October 20, 1980 (cover page appended as Attachment IV). During the 1980 campaign, I saw material that was similar to both these documents, but I am not certain whether I saw the former document or the latter, or both. I am certain that I saw portions of at least one of these documents. I reviewed the Carter material I saw on only one

occasion that was not more than two weeks before the debate. I did not ask anyone where this material came from or who composed it.

11) During my interview with the Subcommittee, I reviewed materials prepared to brief Vice President Mondale for a possible debate during the 1980 election. I am certain I did not see these materials in 1980.

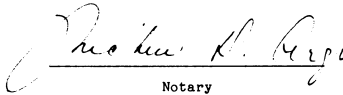
12) Except for what I have learned from the mass media, I am not aware of any unauthorized transfer of any government materials or information (classified or otherwise) or Carter-Mondale campaign materials or information to the Reagan campaign during 1980 other than the debate preparation materials I have described above.



William Van Cleave

Subscribed to and sworn before me this

20th day of March 1984.



Notary

My commission expires:

August 7, 1984



EDITOR'S NOTE.—The documents referred to in this affidavit in paragraphs 9 and 10 are at pages 1638 and 550, respectively.

AFFIDAVIT OF JACK WATSON

Jack Watson, being duly sworn on oath according to law,
deposes and says:

(1) My name is Jack Watson. During the 1980 presidential campaign I was first Secretary to the Cabinet and Assistant to the President for Intergovernmental Affairs and then White House Chief of Staff.

(2) I am submitting this Affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

(3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.

Jack Watson

Subscribed to and sworn
before me on this 2nd day
of March, 1984.

Barbara J. Scruggs
Notary Public

My Commission Expires:

Notary Public for the State of California

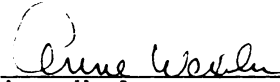
AFFIDAVIT OF ANNE WEXLER

Anne Wexler, being duly sworn on oath according to law,
deposes and says:

1) My name is Anne Wexler. During the 1980 presidential campaign I was Assistant to the President.

2) I am submitting this affidavit to state the true facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have no knowledge as to how debate materials were transferred outside the Carter Administration in 1980. I am not purposely withholding from the Subcommittee on Human Resources, information relevant to its investigation into the possible unauthorized transfer of materials during the presidential campaign.


Anne Wexler

Subscribed to and sworn before me
on this 7th day of March 1984.


Notary

My commission expires: Jan. 31, 1988

AFFIDAVIT OF WILLIAM A. WILSON

William A. Wilson, being duly sworn on oath according to law, deposes and says:

1) My name is William A. Wilson. I am currently the United States Ambassador to the Holy See.

2) I am submitting this affidavit to state the facts as I know them to the Human Resources Subcommittee of the House Post Office and Civil Service Committee in connection with the investigation currently being conducted by that Subcommittee.

3) I have been a member of the University of California Board of Regents continually since March, 1972. In connection with that association, I have served on committees which have interviewed many people, among them employees of several national laboratories, the United States Department of Energy, NASA and other governmental agencies for positions at the Lawrence Livermore, The Lawrence Berkely and Los Alamos National Laboratories. These laboratories are

three of four national laboratories operated by the University of California under contract with the Department of Energy.

4) At no time during the 1980 presidential campaign did I have any official position in, or official relationship with, the Reagan-Bush campaign, although I was a California delegate to the 1980 Republican National Convention.

5) During 1980 and for several years prior I was a member of Governor Reagan's informal advisory group sometimes referred to as the "kitchen cabinet." This group was expanded late in 1980 and became the Personnel Advisory Committee with William French Smith as its Chairman. After the election in November, 1980, I became Chairman when President-elect Reagan selected Mr. Smith to be the Attorney General in the new Cabinet. Before the selection, as a member of that group, I consulted with members of the Reagan-Bush campaign from time to time on an informal basis. After the election, the committee became a part of the Carter-Reagan transition team.

6) The undated handwritten note carrying the salutation "Dear Ronnie" attached hereto as an exhibit is a copy of a memorandum sent by me to ex-Governor Reagan, although I do not recall the date of the note. The name "Ronnie" in the handwritten note refers to Ronald Reagan. As to the other pages in the exhibit attached hereto I cannot be absolutely certain that they were the actual documents attached to my memorandum, although they very well could have been. I do not remember the names or positions of the persons who provided the information contained in the series of 12 questions and answers, nor do I know who wrote or typed that series. I do not know whether the then ex-Governor Reagan ever received or read my note or the 12 questions and answers, although I believe he received other notes and material that I sent him from time to time.

7) Over the years that I have been a member of the Board of Regents of the University of California, employees of the laboratories as well as the Department of Energy and other governmental agencies have discussed with me their views as to how the operations of the laboratories or various governmental departments could be improved. During

the 1980 presidential campaign the number and frequency of these communications increased, perhaps because they knew of my personal friendship with the then candidate Reagan.



William A. Wilson

Subscribed to and sworn before me

this 26th day of ^{April}~~March~~ 1984.



Notary Public

My commission expires: July 10, 1984

EDITOR'S NOTE.—The document referred to in this affidavit in paragraph 6 is at page 1680.

AFFIDAVIT OF TIM WYNGAARD

Tim Wyngaard, being duly sworn on oath according to law,
deposes and says:

1) My name is Tim Wyngaard. I am the Executive Director of
the House Republican Policy Committee.

2) I am submitting this affidavit to state the true facts as
I know them to the Human Resources Subcommittee in connection
with the investigation currently being conducted by that
Subcommittee.

3) On April 4, 1983, I obtained from a friend the telephone
number for Paul Corbin, a long-time acquaintance. I sought the
number from my friend because the one I had was no longer valid.

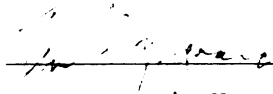
4) After I obtained the phone number, I called Paul Corbin.
I think this was about one or two weeks after I obtained the
phone number and, therefore was toward the end of April. The
conversation lasted approximately one hour. While I do not
remember Mr. Corbin's exact words, during this conversation, he
informed me that he had done work for Ronald Reagan's election
effort. Mr. Corbin in substance told me in different parts of the
conversation that:

A) He had obtained briefing materials intended for President Carter's use in preparing for the debate with Governor Reagan and provided these materials to William J. Casey, director of the Reagan campaign.

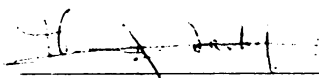
B) He had arranged for Adam Walinsky to write a speech or statement for Governor Reagan and to provide this product to the Reagan campaign, specifically to Mr. Casey.

5) Shortly after the conversation with Paul Corbin, I told Representative Richard Cheney, for whom I work, the essence of what Mr. Corbin had told me. I did so in the course of routine discussions with Representative Cheney about a number of matters.

6) In June, after the issue surfaced in the press, I again mentioned my April telephone conversation with Mr. Corbin to Representative Cheney. Representative Cheney asked me if he could inform the White House about my conversation with Mr. Corbin. I agreed and understand that he did so.


 Tim Wyngaard

Subscribed to and sworn before me this
 _____ day of February, 1984.



 Notary

My commission expires:

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name William Blitgen

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓ _____

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no _____

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓ _____

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓ _____

I certify my answers to the above questions are true and correct

William F. Blitgen 2/1/80
Signature Date

Current position or employment: National Security Council
Work telephone: 395-4974 Administrative Office

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
 Subcommittee on Human Resources FEB 2, 1984

Name Dennis Chapman

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes ✓ no _____

I certify my answers to the
 above questions are true
 and correct

Dennis Chapman 2/17/84
 Signature Date

Current position or employment: Department of Defense - National Security Agency
 Work telephone: 688-7383

Return to: Mr. Jim Wiggins
 HOB Annex #1 Rm 511
 Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

FEB 23 1984

Name William Clark

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

William Clark
Signature

17 FEB 84
Date

Current position or employment: White House Situation Room
Work telephone: 202 395-6313

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee **FEB 22 1984**
 Subcommittee on Human Resources

Name Gerry Cunningham

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the above questions are true and correct

Gerry Cunningham 2/14/84
 Signature Date

Current position or employment: WHITE HOUSE SITUATION Room
 Work telephone: 395-6313

Return to: Mr. Jim Wiggins
 HOB Annex #1 Rm 511
 Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Jean Franklin

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Jean M. Franklin 2/3/84
Signature Date

Current position or employment: National Security Council
Work telephone: 395-4685

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Gilda Kay

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Gilda Kay February 14, 1981
Signature Date

Current position or employment: White House Situation Room
Work telephone: 456-2291

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name James Middleton

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

James Middleton
Signature Date

Current position or employment: Deputy Assistant Secretary, AISC, White House
Work telephone: 202-456-1111

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

Feb 23 1984

House Post Office and Civil Service Committee
Subcommittee on Human ResourcesName Manuel Rubio

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Manuel Rubio 14 Feb 84
Signature Date

Current position or employment: Director White House Situation
Work telephone: 456-2291

Room

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1259

House Post Office and Civil Service Committee FEB 23 1984
Subcommittee on Human Resources

Name RALPH SIGLER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

[Signature] 2/14/84
Signature Date

Current position or employment: DEPUTY DIRECTOR, WHITE HOUSE
Work telephone: 456-2292 SITUATION ROOM

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name DANIEL RATTNER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

[Signature] 28 Feb-84
Signature Date

Current position or employment: CIA Domestic Collection Division
Work telephone: 351-2168

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Alan Kjellberg

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Alan H. Kjellberg 28 Feb 84
Signature Date

Current position or employment: CIA
Work telephone: 351-5309

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

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House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Henry Gatlin

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X _____

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X _____

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X _____

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign? It is possible that I saw portions of the briefing materials prepared for President Carter stored overnight in the White House Situation Room, but I
yes _____ no _____ cannot be positive.

I certify my answers to the
above questions are true
and correct

Henry Brady Gatlin 2 March 1984
Signature Date

Current position or employment: Intelligence Officer--CIA/DCD/Atlanta Field Office
Work telephone: (404) 221-6969

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

P.O. Box 88040
Atlanta, Georgia
30356-8040

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JAMES RIPPE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Signature James D. Rippe

Date 3-2-84

Current position or employment: DETAILS TO DIA/JS-CATIT
Work telephone: 695 0016

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Anne Baughman

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X*

*I WAS AWARE THAT RICK INDERFURTH WAS PREPARING THE BOOK IN THE CONFERENCE ROOM AND ASSUMED THAT IT REMAINED IN THE SIT ROOM WHILE HE WAS WORKING ON IT. I CANNOT SAY FOR CERTAIN THAT I EVER SAW IT, HOWEVER.

I certify my answers to the above questions are true and correct

Anne Baughman 5 MARCH 1984
Signature Date

Current position or employment: PROGRAMS AND PLANS OFFICER, U.S. ARMY STAFF GROUP
Work telephone: 692-2169

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name TIMOTHY SINGER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓ _____

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓ _____

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓ _____

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓ _____

I certify my answers to the
above questions are true
and correct.

Timothy Singer 6 Mar 84
Signature Date

Current position or employment: Central Intelligence Agency
Work telephone: (303) 388-3728

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

FEB 21 1984

Name Gary Dick

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Gary W. Dick 16 FEB 84
Signature Date

Current position or employment: COMPUTER OPERATOR - WACA
Work telephone: 375-6010

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name WANCY WILLIAMS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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yes _____ no ✓

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yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Wancy Williams 5-2-84
Signature Date

Current position or employment: Secretary - CIA
Work telephone: 351-7254

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name Susan Benjamin

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

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yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the above questions are true and correct

Susan Benjamin 3/3/78
Signature Date

Current position or employment: Semior Duty Officer - CIA
Work telephone: 351-7551

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name GREGORY ANTHONY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct

Gregory A. Anthony
Signature/ Date

Current position or employment: Director for

Work telephone: Austin 393-2801

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human ResourcesName CLARENCE BEEDLE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X _____

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yes _____ no X _____

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X _____

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X _____

I certify my answers to the
above questions are true
and correct

Clarence D Beedle 1/26/84
Signature Date

Current position or employment: U.S. Army
Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name PHILIP BELL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Philip N. Bell 1 Feb 84
Signature Date

Current position or employment: U.S. Army, MSG E-8
Work telephone: 456-2660 USATA (WH)
Return to: Mr. Jim Wiggins 1222 22nd St. NW,
HOB Annex #1 Rm 511 Wash., D.C. 20037
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.D. BLUE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

J.D. Blue 27 Jun 84
Signature Date

Current position or employment: US ARMY

Work telephone: 543-653-1280

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name BRUCE BROWN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Bruce Brown 2/26/84
Signature Date

Current position or employment: CHAMBER

Work telephone: 406-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JOHNNY BROYLES

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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yes _____ no ✓

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yes _____ no ✓

I certify my answers to the above questions are true and correct

Johnny K. Broyles 27 Jan 84
Signature Date

Current position or employment: Driver U.S.A. (wa)
Work telephone: 454-1280

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1275

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name ARTHUR BURDETTE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Arthur L. Burdette 27 Jan 84
Signature Date

Current position or employment: Dispatcher, USATA (WH), US Army
Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name DAVID BURGER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the above questions are true and correct

David Burger 27 10-84
Signature Date

Current position or employment: U.S. Army
Work telephone: 456-2440

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1277

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name PILLY BURROWS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no 1

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yes _____ no 1

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yes _____ no 1

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no 1

I certify my answers to the above questions are true and correct

Signature Pilly Burrows Date 2/6/84

Current position or employment: Analyst

Work telephone: 872 1528

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name RONALD CARWELL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no

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yes _____ no

I certify my answers to the
above questions are true
and correct

Ronald Carwell 30 Jan 81
Signature Date

Current position or employment: USATA (WH)
Work telephone: 456-2665

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name GARY CHUCK

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Gary Chuck 30 Jan 84
Signature Date

Current position or employment: Chauffeur, U.S. Army Transportation Agency
Work telephone: 653-1780

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name LESLIE EDWARDS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Leslie Edwards 28 Jan 84
Signature Date

Current position or employment: White House Garage

Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JACKIE ELKINS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Jackie Wiggins 26 Jan 84
Signature Date

Current position or employment: ASST DISP
Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name CHARLES EMANUEL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no NO

I certify my answers to the
above questions are true
and correct

Charles E. Emanuel
Signature Date

Current position or employment: USATA (WA) WASH. D.C.
Work telephone: 653-1780

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name ALFRED FREEMAN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Alfred D. Freeman
Signature Date 7/2/84

Current position or employment: HERON, Burchette, Ruckert & Rothwell
Work telephone: 775-9141 Title, FIRM CHAUFFEUR

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name TADDESE GHEBREMESCHEL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Tadde Ghebremeschel 1-30-84
Signature Date

Current position or employment: CHAFFER
Work telephone: 426 2666

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1285

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JAMES GORDON Jr

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the above questions are true and correct.

Signature James Gordon Jr Date 5/1 Jan 1984

Current position or employment: (WH)

Work telephone: 655-1780

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name DARRELL HARVEY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Darrell Harvey 1/26/84
Signature Date

Current position or employment: Chairman
Work telephone: 202 393-4760

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name KENNETH HEMBREE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Kenneth Hembree / 1/2/82
Signature Date

Current position or employment: EXECUTIVE OFFICE OF THE PRESIDENT
Work telephone: 456-7001 OFFICE OF ADMINISTRATION

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

WASHINGTON D.C. 20503

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name LINDY HESTER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no

I certify my answers to the
above questions are true
and correct

Lindy Hester 29 Jan 84
Signature Date

Current position or employment: OS Navy
Work telephone: 557280

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name CHARLES HIGHBERG

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the above questions are true and correct

Charles Highberg 2 Feb 84
Signature Date

Current position or employment: Houston Lighting & Power Company
Work telephone: (713) 228-9211 Houston Tex

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JON HOWARD

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Jon S. Howard 2/24/84
Signature Date

Current position or employment: SAIT
Work telephone: 456 2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name RONALD KOCSIS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Ronald Kocsis 16 Feb 84
Signature Date

Current position or employment: US Army
Work telephone: 262-2961 TACOM, Korea

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JOHN KOLOSZAR

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

John Koloszar 27 JAN 84
Signature Date

Current position or employment: USATA (WH)
Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name TERRY LEE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

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yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct

Signature Terry Lee Date 28 Jan 84

Current position or employment: USATA WASH

Work telephone: 756-2440 1222 22nd St N.W.

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

WASH, DC 20037

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name ALLEN McLEAN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Allen S. McLean 27 Jan 84
Signature Date

Current position or employment: US ARMY - Asst DISPATCHER
Work telephone: 202-456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name RICHARD MOFFATT

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Richard D Moffatt 9 Feb 84
Signature Date

Current position or employment: Staff Finance NCO
Work telephone: (317) 542-3543

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JETER MORRIS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

J. P. Quinn 1-30-84
Signature Date

Current position or employment: Facilities Mgr White House
Work telephone: 995-5809

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name CHARLIE NATHAN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no _____

I certify my answers to the
above questions are true
and correct

Charlie Nathan
Signature

11/1/80
Date

Current position or employment: _____
Work telephone: 202-225-0002

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name DONALD HEELEY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct.

Donald Heeley 27 Jan 84
Signature Date

Current position or employment: U.S. Army
Work telephone: 456-2661

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JESSE PHILLIPS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the above questions are true and correct

Jesse Phillips 2/1/84
Signature Date

Current position or employment: Motor Vehicle Oper. w/ US DA FNS
Work telephone: (202) 726-3220 3101 Park Center St. Ardy, VA.

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

26302

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name IVAN RABY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Ivan F. Raby 27 Jun 84
Signature Date

Current position or employment: night Dispatcher
Work telephone: 456-2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name ARTHUR RICHARDS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no No

I certify my answers to the
above questions are true
and correct

A. F. D. Richards 2/7/87
Signature Date

Current position or employment: _____
Work telephone: _____

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JOHN RITTER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

John C. Ritter 10 Feb 84
Signature Date

Current position or employment: U.S. Army

Work telephone: Auto: 490-7140/6245

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

Co B, 8th S&T BN
APO NY 09111

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JOHN ROBISON

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct

John Robison 2-5-84
Signature Date

Current position or employment: SECURITY OFF

Work telephone: 205-830 1200 EXT 3163

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name WILLIAM ROLLEY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the above questions are true and correct

William Rolley 25 Feb 81
Signature Date

Current position or employment: U.S. Army
Work telephone: 456 2660

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name IVAN RUTHERFORD

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no /

I certify my answers to the above questions are true and correct

Ivan W. Rutherford 08/08/84
Signature Date

Current position or employment: Army + Airforce Exchange System
Work telephone: 512-225-2993 SAN ANTONIO AIR STATION

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515
SAN ANTONIO, TEXAS 78234

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name NORMAN SAMPSELL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Norman Sampsell 3/6/84
Signature Date

Current position or employment: White House Transportation
Work telephone: 756-2660, 2150

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name JAMES SEIBERT

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

James Seibert 31 Jan 84
Signature Date

Current position or employment: Driver USATA (WH)
Work telephone: 456-2661

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name RILLY VAN HOOK

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no NO

I certify my answers to the
above questions are true
and correct

Rilly Van Hook 31 Jan 84
Signature Date

Current position or employment: US Army Transportation Agent (White House)
Work telephone: 653-1780

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.T. ADKINS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

2. Campbell D. Cochran 2-13-84
Signature Date

Current position or employment: Argonaut
Work telephone: 535 5708

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name P.M. BAIRD

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

P.M. Baird 02-15-84
Signature Date

Current position or employment: OFFICER U.S. SECRET SERVICE UNIFORMED DIV.
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.E. BLASINGAME

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the above questions are true and correct

Rene E. Blasingame 2/27/84
Signature Date

Current position or employment: Officer U.S. Secret Service WHS
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name M. W. BOHRER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Michael W. Bohrer
Signature Date 2/10/84

Current position or employment: United States Secret Service/US
Work telephone: 305-4496

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name S.A. BREGER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

S.A. Breger Date 7/7/81
Signature Date

Current position or employment: 216 South Main St / 16
Work telephone: 372-2222

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.B. CALDWELL

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Ronald B. Caldwell
Signature

6/21/84
Date

Current position or employment: UNITED STATES SECRET SERVICE
Work telephone: 355-2610 UNIFORM DIVISION

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

FEB 22

Name J.L. CARLTON

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

James L. Carlton 2-16-83
Signature Date

Current position or employment: USSS/40

Work telephone: 325-4310

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.J. CHICOSKI

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

John Chicoski 02 10 84
Signature Date

Current position or employment: United States Secret Service / uo
Work telephone: 395-4310

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.L. COLEMAN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Signature Lance Coleman Date 2-1-84

Current position or employment: Police Officer, District of Columbia

Work telephone: 202-225-2625

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name K.R. Cusick

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Kenneth Cusick 2/10/84
Signature Date

Current position or employment: Officer, U.S. Secret Service
Work telephone: (301) 982-3200

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

FEB 22 1984

Name A.A. DENMANN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓ _____

I certify my answers to the
above questions are true
and correct

Guthrie A. Denman 02-17-84
Signature Date

Current position or employment: US SECRET SERVICE UNIFORMED DIV.
Work telephone: 395-4331 OFFICER

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J DOMONWICZ

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no

I certify my answers to the
above questions are true
and correct

Signature James Domonwicz

Date 11 Feb 1984

Current position or employment: Officer, United States Secret Service

Work telephone: 202-225-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

Uniform Division

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name L.C. Fox

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Lewis C. Fox 2-13-81
Signature Date

Current position or employment: OFFICER USSS-UD
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name E.C. GADDY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

E. C. Gaddy 2-7-84
Signature Date

Current position or employment: Officer U.S. Secret Service
Work telephone: (202) 395-4020 Informal Division

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name C. A. GARLAND

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Charles A. Garland October
Signature _____ Date _____

Current position or employment: USPS/Unemployed Divorced
Work telephone: 365-4876

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.M. GLAGOVSKY

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yes _____ no X

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above questions are true
and correct

D.M. Glagovsky 2-8-84
Signature Date

Current position or employment: USSS Uniformed Division Officer
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name C.M. GREENBURG

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I certify my answers to the above questions are true and correct.

Leung M. Greenberg 02/04/84
Signature Date

Current position or employment: USSS OFFICER Uniformed Div.
Work telephone: 395-2220

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1326

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.C. HALPEN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

R.C. Halpen 2/13/82
Signature Date

Current position or employment: OFFICER - USSS/DO
Work telephone: 325-4472

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name V. M. HENKE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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I certify my answers to the
above questions are true
and correct

James W. Henke 2-7-84
Signature Date

Current position or employment: U.S. Secret Service Uniformed Dir
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name G.F. HUGHES

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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above questions are true
and correct

G.F. Hughes 9 Feb. 84
Signature Date

Current position or employment: Officer Tech. U.S. Army Service U/D
Work telephone: 301-982-3200 Office of Training

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

Beltsville Md.

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name E.A. JOHNSON

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct.

E.A. Johnson 2-15-81
Signature Date

Current position or employment: SA
Work telephone: 202-225-0002

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.F. JOHNSON

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I certify my answers to the
above questions are true
and correct

James F. Johnson
Signature

2-15-89
Date

Current position or employment: Deputy Assistant Secretary, Department of Defense
Work telephone: 307-2021

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name U. KOZINA

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no X

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no X

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the above questions are true and correct

William Kozina 09/09/84
Signature Date

U.S. SECRET SERVICE

Current position or employment: OFFICER UNIFORMED DIVISION
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.F. KRAVOS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

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yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Dan L. Kravos 11/18/84
Signature Date

Current position or employment: Officer, U.S. Secret Service (U.S.)
Work telephone: 895-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name E.A. LAVALLE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

E.A. Laval 2/8/84
Signature Date

Current position or employment: U.S. Secret Service, Uniformed Officer
Work telephone: (202) 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.P. LISTER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ☒

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ☒

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ☒

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ☒

I certify my answers to the
above questions are true
and correct

James P. Lister 2-9-84
Signature Date

Current position or employment: OFFICER U.S. SECRET SERVICE
Work telephone: 395-2020 UNIFORMED DIVISION

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.J. LUCIUS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no xx

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no xx

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no xx

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no xx

I certify my answers to the
above questions are true
and correct

[Signature] Date 02/08/84

Current position or employment: U.S. SECRET SERVICE - UNIFORMED DIVISION
Work telephone: (202) 395-2020 OFFICER.

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name W.P. LUDKE

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

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yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Signature W.P. Ludke

Date 12-8-81

Current position or employment: _____

Work telephone: (202) 513-2226

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name H.L. Lyon

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

H.L. Lyon 2-9-84
Signature Date

Current position or employment: White House Secret Service
Work telephone: 365 2220

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

White House Branch

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name F.J. MAZETIS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

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4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

F.J. Mazetis 02-08-84
Signature Date

Current position or employment: Officer USSS/UD
Work telephone: 375-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name E.M. MICHINSKI

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct

Eugene A. Michinski 02/04/80
Signature Date

Current position or employment: OFFICER
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.C. Moritz

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

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yes _____ no X

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no X

I certify my answers to the
above questions are true
and correct

Russell C. Moritz 9-2-84
Signature Date

Current position or employment: Officer - USSS UD

Work telephone: 335-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.A. MYERS

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the above questions are true and correct

D.A. Myers 2/11/84
Signature Date

Current position or employment: Officer USSUD
Work telephone: 395-2626

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name V.N. PARKER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Van W. Parker 2/13/84
Signature Date

Current position or employment: _____

Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name F.J. PELLEGRINE, JR.

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

F. J. Pellegrine, Jr. 2-7-84
Signature Date

Current position or employment: U.S. SECRET SERVICE UNIFORMED DIVISION
Work telephone: 385-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name L.C. RICH

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Laurie C. Rich 2-8-84
Signature Date

Current position or employment: Sergeant - USSS / Unarmed Division
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name C.P. SCHERER

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct.

Charles P. Scherer Sr. 02-07-84
Signature Date

Current position or employment: Officer - USSS/UD-WHB
Work telephone: 305-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

FEB 24 1984

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name W.M. SHAW

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

William M. Shaw 2/15/84
Signature Date

Current position or employment: Sergeant - U.S. Secret Service / Uniformed
Work telephone: 395-2020 DIVISION

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name G.W. SMITH

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

Taylor Smith 02-07-84
Signature Date

Current position or employment: OFFICER - U.S. SECRET SERVICE (INFORMED)
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.D. Smith

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no ✓

I certify my answers to the
above questions are true
and correct

J.D. Smith 2/15/84
Signature Date

Current position or employment: U.S. SECRET SERVICE, UNIFORMED DIVISION
Work telephone: 395-4342 OFFICER

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.W. SNOWDEN

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

Signature

Date

Current position or employment:

Work telephone: 395-2020

Return to: Mr. Jim Wiggins

HOB Annex #1 Rm 511

Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name F. Sobel

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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yes _____ no X

I certify my answers to the
above questions are true
and correct

F. Sobel 2/13/84
Signature Date

Current position or employment: Officer USSS WHB 40
Work telephone: 395 2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.R. SPEARS

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yes _____ no X

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above questions are true
and correct

R.R. Spears 2/7/84
Signature Date

Current position or employment: U.S. TREASURY DEPARTMENT
Work telephone: 375-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

U S S S, U D

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name C.F. TEAM

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above questions are true
and correct

Charles E. Team 02/07/84
Signature Date

Current position or employment: USSS 4Nitedmed Division
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.L. THOMAS

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James L. Thomas 2/6/84
Signature Date

Current position or employment: USSS - UNIFORMED DIVISION - WHB
Work telephone: 375-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name C.D. THOMPSON

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I certify my answers to the
above questions are true
and correct

Charles Thompson 2/9/84
Signature Date

Current position or employment: US SECRET SERVICE - Uniformed Officer
Work telephone: 395-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1355

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name G.A. THOMPSON

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I certify my answers to the
above questions are true
and correct

G.A. Thompson 02-09-84
Signature Date

Current position or employment: US Secret Service Uniform Division
Work telephone: 882-3200

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name R.T. HOMER

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I certify my answers to the
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R.T. Homer 08-15-84
Signature Date

Current position or employment: _____
Work telephone: _____

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name J.A. Zidzik

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yes _____ no X

I certify my answers to the above questions are true and correct.

Signature J.A. Zidzik

Date _____

Current position or employment: Secret Service - U.D.

Work telephone: 385-8280

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

FEB 25 1981

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name G.A. HONORE

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yes _____ no X _____

I certify my answers to the above questions are true and correct

G.A. Honore 2-16-81
Signature Date

Current position or employment: U.S. SECRET SERVICE/UNIFORMED DIVISION
Work telephone: (202) 395-4331

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name D.J. AREY

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

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I certify my answers to the
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Darrell J. Arey 03-01-84
Signature Date

Current position or employment: U.S. Secret Service - Uniformed Dir.
Work telephone: 345-2020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name H.G. SCOTT

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I certify my answers to the
above questions are true
and correct

Robert A. Scott Feb 16, 1984
Signature Date

Current position or employment: SECURITY SPECIALIST / U.S. SECRET SERVICE
Work telephone: 202-395-6074

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

House Post Office and Civil Service Committee
Subcommittee on Human Resources

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C. A. Cudahy 03/07/81
Signature Date

Current position or employment: Officer USSS/NO-WHB
Work telephone: 3952020

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

APPENDIX IV

DOCUMENT

(1363)

1365

Thursday 4 September, 1980

TO: ED MEESE
FROM: BOB GARRICK
SUBJECT: Deputies Meeting, Sept. 4, 1980

1. Concern was expressed for immediate action to firmly establish Gov. Reagan's position of Social Security. There is considerable play developing that RR has stated "he would make SS voluntary."

2. Bill Casey wanted to know what issues are coming up and where are we going and the plans for two weeks from now.

3. Civiletti matter was subject of much discussion and it was agreed that this should be pursued. Might be able to go with statement Friday 5 Sept. Jaworski is being sought to participate.

4. Rich indicated he was having some trouble with the Republican legislators on the Hill and maintaining contact. There is a need he said for Russo to shore-up his efforts on this project.

5. Timmons: some of our people on the Hill are still upset that they could not or did not get in on the Casey/Dolan/Rich presentation.

6. Drew reported that there was some ill-will being generated in the field because of the delay in scheduling. Materials not getting to the field.

7. White House information is that a law firm has been retained to file suit(s) in the event the independent R organizations run TV/radio spot in support of RR. Will demand equal time "free."

8. Timmons expressed concern as to the type and quality of the advertising material, especially TV. Casey explained concept of first to first to show RR as a "reasonable" man and then to move to attack on record.

9. Timmons and considerable discussion as to action to be taken relative to the hostages in the event that they are freed or some deal is made late in Sept. or early Oct. that would place Carter in a favorable light. Considered a serious matter and one that must be addressed. Soonest.

10. Wirthlin reported on a TV show aired Wed. 3 Sept. in which Castro told newsmen that he was not going to move forward in Central and South America until after the election. He wants Jimmy Carter to win -- semi-endorsement -- before renewed action from the Cubans.

* * *

MEMORANDUM

TO: ED MEESE

Friday 12 September 1980

FROM: BOB GARRICK

SUBJECT: DEPUTIES MEETING, Sept. 12, 1980

Verne Orr -- reported on coverage of the headquarters over future Sat. and Sun.; all bases covered.

Rich -- advised that Goldwater wanted to do something relative to the security matter (Stealth). It will be handled. Also, Congressman Armstrong is offering a measure to cut off funds for the "lame duck" session.

Casey -- suggested all deputies review the new TV spots that Pete Dailey now has available. Anxious for the issue papers. Wants them run past Drew and Timmons. Asked that these and the position papers move out fast. Also wants more information from the Carter camp and wants it circulated.

Where are we on the trade of press people? Casey says we have an opportunity for participation for another trade association similar to the Rural Electric film which is in production.

Drew -- expecting \$2.5 from dinner. While it was below the amount expected in the original budget, "original budget was unrealistic." Feels that Governor should be sending greetings to Jewish leaders during these holidays. Suggested that Bush be used in more TV commercials, especially in the New England area. Also, agreed to send us (Policy/Research) newspaper coverage from other states. Offer accepted as it will give us an overview of what's happening in other states.

* * * * *

MEMORANDUM

October 2, 1980

TO: Ed Meese

FROM: Robert M. Garrick, Director, Policy & Research

RE: Deputies Meeting of October 2

Casey -- Asked about the potential of using other surrogates and mentioned Richardson, who reportedly will be available within a few days, Scranton and Lodge. Also, suggested that we consider a speech by RR on regulations.

Wirthlin -- reported Pennsylvania had shown improvement with RR now showing an 8 point lead over Carter.

Baker -- Advised that he recently had conversations with representatives of the League of Women Voters who "wished they had taken our advice and had not been pressured by others." The League's representative admitted they had taken a lot of heat, etc. Jim assured them that if there was a possibility of a one-on-one debate that we would seek another sponsor; but he said it in a nice way.

Timmons - suggested that it was time for a "Truth Squad" type operation. Casey wants a budget for such an operation. In general there was agreement that this plan should be given serious consideration and investigated immediately. Use of surrogates would be the technique for putting spokesmen where Carter has been.

Orr - Advised that the landlord was unhappy with the Committee moving to the first level. Seems the "sale" deal has fallen

through and the old owner is in command again. Casey agreed to pay the added rent. Thus, the cheese and wine party will take place.

Discussion -- The meeting went more than one (1) hour with considerable discussion on the Governor's briefing by the CIA. The majority agreed that it should be cancelled. However, if the Governor did not agree, it was then decided that from a press viewpoint we should make the appropriate moves to control the situation. RR should call his foreign advisors in prior to Noon; the event is set for Saturday 4 October and make it a press situation. He should ask to be briefed in the late afternoon, thus, in part eliminating major news coverage of the CIA briefing. The entire issue came into focus as Bob Gray, and I agree, that if RR takes the CIA briefing then in the future anything he might say relative to foreign policy, et.al. could be played back by Carter's people as a violation of security. There is more to the discussion; the foregoing is a quick overview for you.

x x x

RMG:jmw

'Incumbency Watch' Set By Reagan

GOP Seeks to Avoid October Surprises

By Jules Witcover

Washington Staff Writer of Editor

DETROIT — Ronald Reagan's campaign manager said today fear that President Carter will spring an "October Surprise" in foreign or domestic policy on the eve of the November election has caused him to set up an "incumbency watch" on Carter's activities and decisions.

William Casey, Reagan's manager, told reporters this morning on the second day of the GOP national convention that "an intelligence operation" tracking the president's actions and statements is "already in germinal form" under his direction. "We'll read what you write (about Carter) and talk to a lot of people," Casey said.

The subject came up in connection with a statement by Reagan on the CBS news show "60 Minutes" aired last night. He suggested that "the Soviet Union is going to throw a few bones to Mr. Carter during this coming campaign to help him continue as president."

Casey and Reagan's chief of staff, Edwin Meese, were asked what Reagan meant. "We'd like to know too," Casey said. But Meese added, "I'd be very much surprised if something wouldn't be done" to help Carter. And then both suggested the president on his own might contrive events for his own political advantage.

The warning of "October Surprise" from Carter came as the convention happily digested a pledge last night from former President Gerald R. Ford to campaign for Reagan, and as speculation continued on who his running mate will be. Casey said that beyond the "Big Eight" of prospects widely publicized, "some others" were also under consideration. But he declined to name names, and such statements

See REAGAN, A-4

Continued From A-1

are expected in a convention sorely pressed for suspense.

Casey cited Carter's calling an early morning press conference as Democratic primary voters were going to the polls in April to suggest a breakthrough in the hostage situation in Iran. And Meese said "it could be anything from a summit conference on energy" or development in Latin America and suggested that "wage and price controls is a real possibility" for Carter to spring late in the campaign.

Repeatedly during the breakfast interview Meese sought to broaden the discussion from the original question about what Reagan meant in his statement that the Russians might try to help Carter to the kind of uses of the incumbency that have been routinely invoked by candidates of both parties in past campaigns.

It has not been unusual either, for rival campaigns to keep track of what the opposing candidate says and does. But both Casey and Meese conveyed a conviction that Carter, with or without the Russians' help, would try to spring a fast one on the electorate to avert defeat in November.

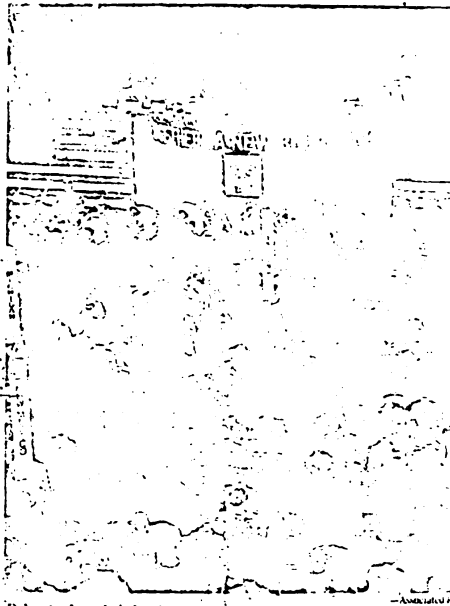
"We've talked about the October surprise and what the October surprise will be," Casey said. Meese said "We're not ruling on the morality of the thing." But Casey added "I think it's unethical and improper."

The two Reagan aides cited heavy-handed tactics by the Carter campaign last spring to get political leaders in line. They noted Secretary of Transportation Neil Goldschmidt's "blatant restriction against Chicago" for Mayor Jane Byrne's support of Sen. Edward M. Kennedy.

Casey called the choice of Reagan's running mate "very important" because "I've seen elections lost on this decision." He mentioned Thomas E. Dewey's loss in 1948 and Richard M. Nixon's defeat in 1960 because Dewey chose Earl Warren, a Californian, instead of Rep. Charlie Halleck of Indiana and Nixon chose Henry Cabot Lodge of Mass. instead of Rep. Walter Judd of Minnesota.

Asked, however, whether this suggested Reagan was being urged to select a midwesterner — as both both Halleck and Judd were — Casey backed off.

Casey said time has been set aside for Reagan to meet with any of the vice presidential prospects today and tomorrow "if he wants to." But he said no decision has been made as to whether he will want to.



Delegates bow their heads as The Rev. Jerry Moore of the District delivers the invocation at the opening of the GOP convention in Detroit yesterday.

Casey declined any comment on a report that a decision has been 90 percent made in favor of George Bush.

But sources privy to Reagan's thinking said he was still casting about for an alternative to Bush.

Ford, who meets with Reagan today to discuss the matter of his running mate, got the convention to high gear last night with his promise to work tirelessly for Reagan's election.

The former president told the delegates that although some call him an elder statesman, "I'm not ready to quit yet. I've got news for this convention and Jimmy Carter. This Republican is going to do everything in his power to elect our nominee to the presidency of the United States."

Speaking on his 67th birthday, Ford sounded like an eager novice

playing cheerleader. "We've got a lot of work to do and you are looking for one volunteer who will try hard, work longer and speak with no conviction to get this country competent president again," he said.

"This country means too much to me to be comfortably parked on the bench. So when you field me for Governor Reagan, count me in."

As he said these words, his wife Betty, applauding and smiling, said "All right!"

Those were exactly the words the Reagan political strategists want to hear from the former president and his wife. The Reaganites are cobbling on Ford to hold parades in the fold and to attract Democratic and Independent voters the way he did in 1976 in his glorious loss to Carter.

Ford also was careful to focus his speech on criticism of Carter, steering clear of the few issues in which

Washington Star
July 15, 1980

Reagan Campaign Sets Up 'Incumbency Watch' on Carter Actions

party's platform draft, including the Equal Rights Amendment and abortion, on which he disagrees with Reagan.

Of Carter, Ford said, "There is no alternative, he's got to go. . . . We cannot take four more years of soaring inflation, sky-high interest rates, rising unemployment and shrinking take-home pay.

"We cannot stake our survival on four more years of weak and wavering leadership and lagging defenses. We dare not fall another four years behind with dangerous dependence on foreign energy. We cannot sink helplessly into second-rate status in the world, with economic stagnation at home. . . .

"You've all heard Carter's alibi: Inflation cannot be controlled. The world has changed. We can no longer protect our diplomats in foreign capitals, nor our working men on Detroit's assembly lines. We must lower our expectations, we must be realistic, we must prudently retreat. . . .

On the first day of the 1980 convention, the popular Ford speech shared the emotional spotlight with a raucous reception given Reagan as he and his wife Nancy arrived by charter jet from Los Angeles.

In a television interview on Sunday, Ford dealt with the lingering question of who Reagan's running mate will be, specifically boosting two moderate Republicans prominently mentioned as possibilities — Bush and Senate Minority Leader Howard Baker.

Baker said on arrival in Detroit that he didn't want the vice presidential nomination, but in a television interview last night he acknowledged he'd take it if it were offered.

Bush, who also has said he'll accept if asked, spent yesterday visiting delegations of states where he won delegates in the caucuses and primaries, asking them to vote for Reagan.

The other hopefuls most often mentioned also tried to keep low profiles, lest they jeopardize their chances. The same list of eight continued to be mentioned and Reagan aides insisted none had been eliminated: Bush, Baker, Sen. Richard Lugar and Paul Laxalt, Reps. Guy Vander Jagt and Jack Kemp, former Secretary of Defense Donald Rumsfeld and former Treasury Secretary William Simon.

Lugar, Rumsfeld and Simon addressed the convention yesterday, and none said anything to hurt his chances.

Reagan, meanwhile, was said still to be agonizing over his choice. He told CBS News that the fact that he is 69 years old has made him especially sensitive to the need to make a good choice. That's why, he said, the decision "is such a problem for me and why I am not rushing into anything."

He said again he wanted a person ideologically compatible with himself, and that there would be "something cynical in choosing someone with a different political view from your own with the idea in mind of getting votes." But aides continued to say all those prominently mentioned would fill that bill.

As if to make sure, however, two prominent Republican voices on the right are seeking to put pressure on Reagan not to stray from the conservative mold, Sen. Jesse Helms held it, has stated intention to have his own name placed in nomination for vice president as a means of keeping Reagan honest on the matter.

And Phyllis Schlafly, the leader of the anti-ERA forces, warned at a testimonial lunch in her honor that conservatives, including thousands of fundamentalist Christians, will desert Reagan and stay home if they aren't satisfied with the ticket.

"These people do have other places to go," she said. "They will go right back to their churches where they've been for the past 20 years reading their Bibles." Schlafly said neither Baker nor Bush would be acceptable to her.

Outside the convention hall, the controversy over the GOP platform committee's overwhelming decision to abandon a 40-year-old cadet's amendment of ERA continued. Supporters of ERA, both Republican and Democratic, marched and rallied for the amendment.

The ERA controversy comes up again today when Reagan meets with a group of pro ERA leaders including Rep. Margaret Heckler of Massachusetts and Helen Milliken, wife of Gov. William G. Milliken of Michigan.

The highlights of today's program will be the keynote address by Vander Jagt and a speech by former Secretary of State Henry Kissinger. Kissinger's appearance does not sit well with some strong conservatives, who helped Reagan run against his foreign policy under Ford in the 1976 primaries.

But planners of the program, controlled by the Reagan camp, have defended having him as an indication of party inclusiveness.

Reagan Bush Committee

memorandum

Jim Brady --

This is a paper prepared for Gov. Reagan's information prior to the debate. It was done by John Lenczowski Legislative Asst. to Cong. Courter (R-NJ). He apparently has access to the VOA and RFE/RL briefing paper prepared for Pres. Carter for the debate tonight.

Lenczowski, who is very knowledgeable about the radio stations, points out there are a number of distortions in that paper, and he has concentrated here on rebutting those distortions.

While the paper (done in a great hurry at midnight last night) verifies much of what we had in our background paper on the subject, it is succinct and very much to the point. I think it should go immediately to Wexford for the attention of whoever is handling the foreign affairs briefings for the Governor.



MFSnith
Senior Watch Officer

9:45 AM, Oct. 28

Dear Sue,

Enclosed is a memo based on the briefing
paper Carter received today on VOA and
RFE/RL. I have this paper, but

I have condensed into my memo the paper's
main distortions. Carter may want to use
this information to appeal to the Ethnic
votes which may be key to victory in Illinois,
Pennsylvania, Ohio, Connecticut, Wisconsin, Michigan,
New York etc.

I hope this will be useful.

With best wishes,

John Lenczowski

(225-580) daytime phone

- Carter requested a briefing on Voice of America + Radio Free Europe + Radio Liberty for the debate. The briefing paper w/ the information Carter will use has numerous distortions.

① Carter will say that there has been a real increase in VOA spending:

In fact: - VOA budget is stable in real terms

- VOA has had no increase in staff

- 4 South Asia transmitters have been delayed by slow action of the State Dept.

- Technical modernization has not been funded

VOA runs on 1940's + 1950's technology.

- VOA is barely audible in many parts of the world

- Nothing was done about Soviet jamming of VOA

- many transmitters are obsolete

② Carter will say that RFE-RL have doubted their transmitting power

In fact - Even this increase is not enough ~~to overcome Soviet jamming~~ to reach target audience.

- This increase cannot overcome Soviet jamming

- RFE-RL has lost half its audience in recent years

- Transmitters cannot reach east of Urals and cannot reach Moslem populations of Central Asia

③ Carter will say that funding for RFE-RL increased from \$57 million to \$104 million under his administration.

In fact: - \$104 million is a budget request not an actual outlay.

- These budget increase compensate only currency devaluations of the dollar vis-a-vis the Mark (the currency used by RFE in Europe) but they do not compensate for inflation.

- RFE-RL have had big deficits each year

- These Radios had to cut staff (161 people) since 1971

- These Radios had to cut operations and maintenance by

- There is no money to pay for painting transmitters, which covered with rust and salt and therefore lose power.

- DMB and State Dept. have blocked modernization and expansion which would make possible broadcasts to Czech

*Carter Briefing*Review

International Broadcasting During the Carter Administration

Voice of America

During the Carter Administration, the Voice of America (VOA) has increased the number of hours of broadcasting and the languages broadcast and begun the first expansion and modernization of transmitting facilities in many years. This expansion and improvement was made possible because the Carter Administration has made additional resources, in real terms, available to the VOA.

The 1981 Administration request for operating expenses of VOA is \$96 million. This compares with \$65 million made available to VOA in 1977. In constant 1969 dollars, the VOA operations were \$35.7 million in 1969 and remained essentially at that level through 1977 (\$35.5 million) and will be \$38.2 million in 1981. Thus, the Carter Administration has provided real term increases after eight years of level funding.

No new construction of VOA facilities was undertaken during the 1969-1977 period. In 1977, the Carter Administration began a major construction program to upgrade VOA transmitting capabilities. Three large projects and a smaller one were planned to improve the VOA reception in Eastern Europe, the Soviet Union, Africa and Asia. Appropriations totalling \$35 million were requested and obtained to expand transmitter facilities in the United Kingdom, Liberia, the Philippines and Botswana. The United Kingdom facility will be in operation in early 1981 as will the new AM station in Botswana, the first new VOA AM facility in twelve years. Furthermore, satellite links have been added and the master control system modernized to improve VOA quality and reliability.

In 1969, the VOA was broadcasting a total of 938 hours per week in 36 languages. By 1977 the broadcast hours were down to 795 hours in 37 languages. In 1981, the VOA will broadcast a total of 903 hours per week in 41 languages with Persian, Dari, Azeri, Amharic being the languages added.

Radio Free Europe/Radio Liberty

Radio Free Europe/Radio Liberty, a private non-profit corporation relies almost entirely upon U.S. Government contributions to broadcast in 21 languages into the Soviet Union and Eastern Europe. The Carter Administration has increased funding, through the Board for International Broadcasting, from \$57 million in 1977 to \$104 million in 1981. Funds have been provided to RFE/RL for a major increase in its transmitting power. By 1982, RFE/RL will have twice the transmitting power it did when President Carter came into office. This will mean a much stronger signal for its many listeners in Eastern Europe and the Soviet Union where jamming often makes listening difficult.

The Carter Administration has also supported administrative reforms which have permitted RFE/RL to reduce several hundred duplicative administrative positions.

ReturnRADIO - VOA and RFE/RLCarter Administration Accomplishments:

In March 1977 the Carter Administration announced approval of a major transmitter-building program for both radio networks: 25 in all, 11 for RFE/RL and 14 for VOA. Of these 24 were undertaken and the first will come into operation before the end of 1980. South Asian transmitters for VOA (4 from Sri Lanka) were delayed because of diplomatic problems and negotiations for these are only now nearing completion.

No other significant new initiatives have been taken in the radio field by the Carter Administration. Programs for technical modernization and programming expansion have been developed by both VOA and RFE/RL but have not been funded. In response to the crises in Iran and Afghanistan, adjustments in language priorities were made. Broadcasts in Persian, which had been terminated in 1958, were reintroduced in April 1979; broadcasts in Dari (Afghan Persian) were started on September 28, 1980.

Though there has been a slight new increase in programming hours in both VOA and RFE/RL, no significant increases in programming time have been possible because of lack of funds. A program for expansion of broadcasting in Muslim languages, both to the Middle East and the USSR, approved by the President in December 1979, has for the most part not been implemented because of lack of funding by OMB.

Budgets for the two radio networks for the past five years have been as follows:

	<u>VOA</u>	<u>RFE/RL</u>
FY1977	\$65,615,000	\$52,745,000
FY1978	69,728,000	58,035,000
FY1979	75,294,000	72,490,000
FY1980	85,669,000	80,430,000
FY1981	96,820,000 (req.)	93,487,000 (req.)

These figures are essentially level in terms of real expenditure because the DM (major RFE/RL currency) has gone from \$1=2.58 in 1977 to \$1=1.74 today and much of the budget increase has merely compensated for loss of value of the dollar. Inflation has affected both budgets in other ways as well. There has been a net decline in personnel in RFE/RL during this period and no increase in VOA.

Reagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 684-3400

D-10

September 12, 1980

MEMORANDUM

TO: Ed Meese

FROM: Stef Halper *SH*

The Democrats have put together what they call the Reagan Agenda. I understand it will be used by Carter in the debates, and by their surrogates.

The central theme is that Reagan is simple--too simple to handle the Presidency. They will hammer this theme with quotes in different areas.

"They say we offer simple answers to complex problems. Well, perhaps there is a simple answer...not an easy one... but a simple one."

Ronald Reagan
"A Time for Choosing"
October 27, 1964

Carter/Mondale have said the following:

"Sixteen years after he used those words to advance the candidacy of Barry Goldwater, Ronald Reagan still insists there are simple answers...Just not easy ones.

For Ronald Reagan, remarkably little has changed since that famous speech. With relentless fervor, Ronald Reagan has continued to paint his vision of the future in those terms. Without hesitation, he has outlined a series of proposals to address the complex problems we face as a nation. Taken together, these "simple answers" constitute "The Reagan Agenda."

Here are the quotes by issue area:

THE REAGAN AGENDA

"They say we offer simple answers to complex problems. Well, perhaps there is a simple answer... not an easy one...but a simple one."

-- Ronald Reagan
 "A Time for Choosing"
 October 27, 1964

"Sixteen years after he used those words to advance the candidacy of Barry Goldwater, Ronald Reagan still insists there are simple answers...Just not easy ones."

For Ronald Reagan, remarkably little has changed since that famous speech. With relentless fervor, Ronald Reagan has continued to paint his vision of the future in those terms. Without hesitation, he has outlined a series of proposals to address the complex problems we face as a nation. Taken together, these "simple answers" constitute "The Reagan Agenda."

Tax Reform, Recession, Inflation, Unemployment, Balanced Budget and Increased Defense Spending

- o "The entire (graduated income tax) structure was created by Karl Marx. It has no justification in getting government needed revenue." (1/7/63)
- o "I think that the Kemp-Roth proposal...will reduce by about a third the tax burden, but have faith that as in the past, that tax cut will so broaden the base of the economy that even the government will get more money in the end because of the increase in prosperity." (5/14/78)
- o "There is no relationship between cutting tax rates and whether you're going to lose the same proportion in tax revenues, which would increase the deficit." (5/29/80)
- o "And we could use the increased revenues the federal government would get from this tax decrease (Kemp-Roth) to rebuild our defense capabilities." (5/18/80)

Inflation

- o "Very simply, what all of us have to realize is, government causes inflation and government can make it go away." (4/20/80)
- o "Inflation has one cause and one cause only: Government spending more than government takes in." (3/1/76)

employment

- o "...high unemployment is in large part due to the minimum wage..." (1/2/80)
- o "One of the ironies of our current economic situation is that while so many people are out of jobs, the classified ad pages of the newspapers are often carrying record numbers of Help Wanted ads." (11/3/75)

Minimum Wage

- o "The minimum wage has caused more misery and unemployment than anything since the Great Depression." (1/30/80)

Energy

- o "Does it take a genius to figure out that the answer to our having all we need and no more being dependent on OPEC is to turn the energy industry loose to produce all the natural oil and the natural gas that is to be found here." (4/14/80)

The Department of Energy

- o "I favor elimination of...DOE...Those necessary department functions which are properly the province of the Federal Government would be carefully evaluated and transferred to other Federal Departments." (4/5/80)

(Note: Governor Reagan may not realize that 28% of DOE's budget goes for nuclear weapons research and production, and that 20% goes to the Strategic Petroleum Reserve. Only 3% or 4% goes to regulatory functions.)

Conservation

- o "At best it (conservation) means we will run out of energy a little more slowly." (11/13/79)

Improving Automobile Gasoline Mileage

- o The 1975 energy bill "mandated gasoline mileage standards which by 1985 will have the effect of forcing Detroit to make some 80% to 90% of its automobiles subcompacts or smaller -- no matter whether anyone wants them or will buy them, and there is little evidence that they will sweep the country in popularity." (5/15/76)

of the Federal Government

"...my first act as chief executive will be to impose an immediate and thorough freeze on federal hiring." (7/17/80)

(Note: Such a freeze is already in effect. Incidentally, Reagan promised a similar freeze when he ran for Governor. While he was Governor, state employment increased 22%.)

- o "...I believe it is clear our federal government is overgrown and overweight." (7/17/80)

(Note: While Reagan was Governor of California, the state budget increased by 122%.)

Aid to the Cities

quoted in Jacksonville Journal 2/1/80
 "Urban aid programs, I think, are one of the biggest phonies that we have in the system." (2/1/80)

Aid to New York City

- o "As a matter of fact, I have included in my morning and evening prayers every day the prayer the federal government will not bail out New York City." (10/8/75)

The Role of State and Local Government

- o "Everything that can be run more effectively by state and local government we shall turn over to state and local government, along with the funding sources to pay for it." (7/17/80)

Welfare Reform

- o "If there is one area of social policy that should be at the most local level of government possible, it is welfare. It should not be nationalized--it should be localized." (3/1/76)
- o "We don't need the department of Health and Welfare." (1/27/80)
- o "(the needy are) a faceless mass waiting for handouts." (5/30/65)

Health

- o "I'm opposed (to national health insurance)...There is no health-care crisis in America. Most of the problems we have today with the increasing cost of medical care has been caused by Government's intervening in the health scene." (3/1/76)

Education

"The decline in quality of the public education system began when federal aid became federal interference... We must get the federal government out of the classrooms of America." (4/9/76)

(Note: While Reagan was Governor, California slipped from 6th to 21st place nationally in per pupil expenditures for elementary and secondary education.)

Equal Rights for Women

- o "I will establish a liaison with the 50 governors to encourage them to eliminate, wherever it exists, discrimination against women." (7/17/80)

Environmental Protection

- o "At the federal level, however, government may have lost its sense of balance in this area... we need to return to the states the primary responsibility for environmental regulation and thus increase responsiveness to local conditions." (1980)

Agriculture

- o "I'm for 100% of parity. I don't want it imposed through the government. I want it through the marketplace." (3/28/80)
- o "You subsidize the inefficient when you put a floor under the market price." (3/8/76)

Grain Sales to the Soviet Union

- o "I don't believe the farmer should be made to pay a special price for our diplomacy, and I'm opposed to what's been done." (1/7/80)
- o "If the Russians want to buy wheat from us... I wouldn't sell it to them." (9/30/79 after disclosure of Russian brigade in Cuba)
- o "But isn't there also a moral issue? Are we not helping the Godless tyranny maintain its hold on millions of helpless people? Wouldn't those helpless victims have a better chance of becoming free if their slave masters collapsed economically?... Maybe there is an answer -- we simply do what's morally right. Stop doing business with them. Let their system collapse, but meantime buy our farmer's wheat ourselves and have it on hand to feed the Russian people when they finally become free." (10/29/75)

Boycott

- "What would happen if the leaders of the Western world told the International Olympic Committee and the Soviet Union that torch must be lit in some other country...If they don't and we participate in the games anyway, what do we say to our young athletes about honor?" (10/3/78)
- o "It's (the boycott) a tough one. I haven't really sat down and made up my mind about it." (3/26/80)
- o "I support the boycott today. I supported it yesterday. And I supported it when the President first called for it." (4/11/80)

Foreign Policy

- o "In the case of foreign policy, I am equally unimpressed with all this talk about our problems being too complex, too intricate, to allow timely decision and action.

The fetish of complexity, the trick of making hard decisions harder to make; the art, finally, of rationalizing the non-decision, have made a ruin of American foreign policy." (5/21/68)

Responding to the Soviet Invasion of Afghanistan

- o "One option might well be that we surround the island of Cuba and stop all traffic in and out." (1/29/80)

Defense

- o "The president should announce immediately a military buildup aimed at restoring our military superiority." (1/16/80)

SALT

- o "(he would) send it (SALT) back to the Soviets so fast they'll think we've got a new postal service." (6/9/80)

Non-Proliferation

- 9 "I just don't think it's (non-proliferation) any of our business." (1/31/80)

Florida news conference 1/30/80 NYT

Panama Canal

- o "If there is any possibility of keeping the Panama Canal, believe me I would do it..." (1/17/80)

Rights

"While the Soviets arrogantly warn us to stay out of their way, we occupy ourselves by looking for human rights violations in those countries which have historically been our friends and allies." (3/17/80)

South Africa

"Isn't it time we laid off South Africa for awhile?...As for letting South Africans work at solving their problems while we solve our own, all in favor say 'Aye'." (10/22/76)

F.B.I. and C.I.A.

"I have commented before about what I think is the Justice Department's foolishness in rendering our F.B.I. and C.I.A. impotent, all in the name of protecting our privacy." (2/14/79)

1385

Reagan & Bush

D-4

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 457-1000

September 12, 1980

MEMORANDUM

TO: Ed Meese

FROM: Stef Halper *SH*

The attached paper has been developed by Carter/Mondale
for use as attack material against you and Governor Reagan.
These quotes may also be used during the debates.

1386

FER/MONDALE PRESIDENTIAL COMMITTEE, INC.
101 STREET, N.W., WASHINGTON, D.C. 20036
202 857-4700

Robert S. Strauss, Chairman
Tom Kraft, National Campaign Manager
S. Lee Kling, Treasurer

August 1980

REAGAN TALKING POINTS

The attached talking points are for your guidance in dealing with questions on Governor Reagan's stands on the economy, energy, social issues, and foreign policy.

They clearly show a man who does not grasp the complexity of the issues facing our country; a man who proposes simplistic answers to the problems we face; a man who too often "shoots from the hip"; a man unsuited for the Presidency at this critical juncture in our nation's history.

ECONOMY

- I.. REAGAN-KEMP-ROTH: To hear Ronald Reagan tell it, the Reagan-Kemp-Roth 30% tax cut will end the recession, reduce inflation, cut unemployment, balance the budget, and permit huge increases in defense spending. Will it also cure the common cold?
- o "I think that the Kemp-Roth proposal...will reduce by about a third the tax burden, but have faith that as in the past, that tax cut will so broaden the base of the economy that even the government will get more money in the end because of the increase in prosperity." (5/14/78)
 - o "There is no relationship between cutting tax rates and whether you're going to lose the same proportion in tax revenues, which would increase the deficit." (5/29/80)
 - o "And we could use the increased revenues the federal government would get from this tax decrease (Kemp-Roth) to rebuild our defense capabilities." (5/18/80)
- II. REAGAN-KEMP ROTH, PART TWO: Business Week, hardly a liberal leaning publication, had this to say about the 30% tax cut:
- o "... (Kemp-Roth) would be a completely irresponsible way to approach the federal budget problem, and it would generate an inflation that would destroy the value of the currency...Kemp-Roth would add \$100 billion to a deficit that is already dangerously swollen. It would touch off an inflationary explosion that would wreck the country and impoverish everyone on a fixed income." (8/7/78)
- III. REPUBLICAN TAX CUT: Like previous Republican Tax Cuts, Reagan-Kemp-Roth's benefits are skewed toward the rich.
- o Those with \$200,000 annual incomes get a tax cut 35 times greater than those with \$20,000 incomes, and 135 times greater than those with \$8,000 incomes.
 - o "The entire (graduated income tax) structure was created by Karl Marx. It has no justification in getting government needed revenue." (1/7/63)

- IV. GEORGE BUSH AND REAGAN-KEMP-ROTH: There will not be many times during this election that we can agree with George Bush, but he sure had Reagan-Kemp-Roth pegged.
- o "The Reagan tax-cut program would have two disastrous effects. First, it would increase the rate of inflation to 30% or more in 1981 and 1982 and the budget would be more than \$50 billion in deficit." (3/80)
- V. INFLATION: Listening to Ronald Reagan talk about inflation, you'd never know of problems like OPEC, productivity, or trade imbalances.
- o "Very simply, what all of us have to realize is, government causes inflation and government can make it go away." (4/20/80)
 - o "Inflation has one cause and one cause only: Government spending more than government takes in." (3/1/76)
- VI. UNEMPLOYMENT: ...And if Kemp-Roth doesn't work, there's always the Want-Ads.
- o "One of the ironies of our current economic situation is that while so many people are out of jobs, the classified ad pages of the newspapers are often carrying record numbers of Help Wanted ads." (11/3/75)
- VII. UNEMPLOYMENT PART TWO: ...But the real villain is the minimum wage...
- o "...high unemployment is in large part due to the minimum wage..." (1/2/80)
 - o "The minimum wage has caused more misery and unemployment than anything since the Great Depression." (1/30/80)
- VII. UNEMPLOYMENT PART THREE: ...But don't leave out child labor laws, Social Security, unions and the tax code...
- o "There are child labor laws. There are minimum wage laws. There are Social Security laws. There are union regulations. There are tax laws. There is so much red tape that it just isn't practical for the average businessman to hire part-time help." (4/22/68)
- IX. UNEMPLOYMENT PART FOUR: ...Humphrey Hawkins...Fascism...The New Deal...FASCIST?
- o "(Carter's) approach to unemployment: he's for the Humphrey-Hawkins bill. If ever there was a design for fascism, that's it. Fascism was really the basis for the New Deal." (5/17/76)

ENERGY

- I. THE REAGAN ENERGY PROGRAM: Incredibly, Ronald Reagan believes that the answer to all our energy problems is the unleashing of those well-known guardians of the public trust -- the major oil companies.
- o "Does it take a genius to figure out that the answer to our having all we need and no more being dependent on OPEC is to turn the energy industry loose to produce all the natural gas that is to be found here?" (4/14/80)
 - o George Bush said Reagan was "wrong" in suggesting "you can decontrol oil and expect to replace OPEC oil in a short period of time with domestic oil. That is wrong. It is unsupportable." (5/12/80)
- II. DOMESTIC OIL PRODUCTION: Reagan calls for more domestic oil as if nothing is happening on new exploration. He hasn't checked the facts.
- o "The answer obvious to anyone except those in the administration it seems, is more domestic production of oil and gas." (11/13/79)
 - o Currently, 3,000 oil rigs are in operation in this country, the highest number since 1955. This year has seen the most new drillings in history and only a shortage of drilling equipment is preventing even more exploration.
- III. DEPARTMENT OF ENERGY: Is Governor Reagan serious about returning to the crazy-quilt pattern of seven overlapping and uncoordinated agencies that were consolidated into the single Department of Energy?
- o "I favor elimination of...DOE...Those necessary department functions which are properly the province of the Federal Government should be carefully evaluated and transferred to other Federal Departments." (4/5/80)
 - o Obviously Governor Reagan does not realize that 28% of DOE's budget goes for nuclear weapons research and production, nor that 20% goes to the Strategic Petroleum Reserve. Only 3 or 4% goes to regulatory functions.

IV. DOE PART TWO: As President, Reagan's first energy initiative would be elimination of DOE. That's interesting. In his last year as Governor, he signed into law a state energy office, the California Energy Conservation and Development Commission.

- o "Elimination of DOE and its allocation rules would be an important first step toward solving the energy crisis." (4/5/80)
- o "Governor Reagan Tuesday signed into law a landmark bill creating a powerful state commission to control the use and development of all existing and potential California energy resources." (L.A. Times, 5/22/74)

V. ALASKA vs. SAUDI ARABIA: Ronald Reagan continues to insist that there is more oil in Alaska than Saudi Arabia.

- o "We learned from the U.S. Geological Survey (USGS) that there is more oil in Alaska than there is in Saudi Arabia. We have, as I say, enough oil here that with government decontrol the greatest oil geologists in this country have told me in five years we would not have to buy from OPEC..." (2/20/80)
- o On Reagan's Alaska vs. Saudi Arabia comparison, George Bush said, "I don't believe it. I was in the energy business myself. If it's true, he should cite some geologists to prove it." (4/10/80)
- o For the record, USGS estimates that Alaska has just over 5% of the proven oil reserves Saudia Arabia has.

VI. THE VISION OF RONALD REAGAN: Presidents must be able to look down the road to anticipate problems.

- o The 1975 energy bill "mandated gasoline mileage standards which by 1985 will have the effect of forcing Detroit to make some 80% to 90% of its automobiles subcompacts or smaller -- no matter whether anyone wants them or will buy them, and there is little evidence that they will sweep the country in popularity." (5/15/76)

- /II. CONSERVATION: Ronald Reagan simply does not understand what energy conservation is all about.

 - o "At best it (conservation) means we will run out of energy a little more slowly." (11/13/79)
- III. CONSERVATION AND THE 55 MPH SPEED LIMIT: Furthermore, whatever Governor Reagan once knew about conservation he has now forgotten.

 - o The Republican Platform calls for repeal of the 55mph speed limit.
 - o In an April 4, 1974, press release, Governor Reagan proclaimed,

"The 55mph speed limit is the simplest and fairest conservation measure available... There's an added bonus... We can argue about whether we are saving 25 million or only 120 million gallons of gasoline per month... but we know how many people died in auto accidents in February 1973 and February 1974. A lot of us are still walking around whom wouldn't be except for the lower speed limits."
- IX. WINDFALL PROFITS: Reagan opposes the Windfall Profits Tax because he sees it in only one dimension -- its cost to the major oil companies.

 - o Doesn't he realize it funds:

 - aid to the poor and elderly to help pay their fuel bills?
 - research and development of alternative energy sources like gasohol and coal gasification?

SOCIAL ISSUES

- I. NATIONAL HEALTH INSURANCE: Do you sometimes wonder whether you and Ronald Reagan live in the same country?
 - o "I'm opposed (to national health insurance)...There is no health-care crisis in America. Most of the problems we have today with the increasing cost of medical care has been caused by Government's intervening in the health scene." (3/1/76)
- II. AID TO THE POOR: A President must have certain qualities. We all know a President must be intelligent, tough, and visionary. But a President must also have compassion for those in need in our society.
 - o "We don't need the Department of Health and Welfare." (1/27/80)
 - o "(the needy are) a faceless mass waiting for handouts." (5/30/65)
 - o "(welfare encourages) freeloaders wanting a prepaid vacation plan." (4/22/66)
- III. EDUCATION: One can begin to see how Reagan will come up with the billions necessary to allow him to cut taxes and balance the budget while dramatically increasing defense spending. He does not think we need the Energy or Health and Human Services Departments to which you can add Education.
 - o Asked if he would eliminate the Department of Education, Reagan responded, "I'd sure want to." (12/13/79)
- IV. AID TO THE CITIES: In Ronald Reagan's America, even more money could be saved -- just by ignoring America's cities.
 - o "Urban aid programs, I think, are one of the biggest phonies that we have in the system..." (2/1/80)
- V. AID TO NEW YORK CITY: God also must love New York.
 - o "As a matter of fact, I have included in my morning and evening prayers every day the prayer the federal government will not bail out New York City." (10/8/75)

- I. SOCIAL SECURITY: President Carter and the Democratic Congress restored the solvency of the Social Security System. Can we afford to turn it over to a man who would invest the trust fund on Wall Street, or who thinks we should make Social Security voluntary?
- c "One of the failures of Social Security is that the funds do not grow. They are not invested as they could be in the industrial might of America. (2/7/76)
 - o "...can't we introduce voluntary features that would permit a citizen to do better on his own, to be excused upon presentation of evidence that he had made provisions for the non-earning years?" (10/27/64)
- II. CIVIL RIGHTS: Sometimes it is unfair to hold a man to a position he took 15 years ago. However, sometimes a position is so outrageous that it indicates a flawed view of the world. The position can be mended, but the view -- or mindset -- may remain. In 1966, Ronald Reagan was in his mid-50s and a candidate for Governor of California when he first stated his opposition to the Civil Rights Act of 1964. Since then he has recanted saying,
- o "I was opposed at the time. I can't remember the exact details...I was opposed to certain features of that law which went beyond and infringed on the individual rights of citizens which are supposedly guaranteed by the Constitution." (3/6/80)
- III. AFFIRMATIVE ACTION: We already know Ronald Reagan would like to subject federal judges to an anti-abortion litmus test. What else might we expect?
- o "I'd like an opportunity to put an end to this Federal distortion (affirmative action) of the principle of equal rights." (7/7/76)
- IV. ERA: Reagan says he believes in the "E" and the "R," just not the "A." He thinks equal rights for women can be accomplished by a series of state and local actions.
- o "I will establish a liason with the 50 governors to encourage them to eliminate, wherever it exists, discrimination against women." (7/17/80)
 - o (Note: According to the U.S. Commission on Civil Rights, at the Federal level alone, over 800 statutes would have to be amended to accomplish what ERA would in one stroke.)

- X. AGRICULTURE: Democrats since Thomas Jefferson have realized the importance of family farms to America. Ronald Reagan only sees them as an item on a balance sheet.
 - o "You subsidize the inefficient when you put a floor under the market price." (3/8/76)

- XI. AGRICULTURE: Earlier this year, Ronald Reagan said he did not know much about parity. He still doesn't.
 - o "I'm for 100% of parity. I don't want it imposed through the government. I want it through the marketplace." (3/28/80)

- XII. GOP PLATFORM: Party platforms are a means of stating a party's program while establishing or re-establishing election winning coalitions. To some extent, you can tell a platform by its friends.
 - o "I enthusiastically support your platform..."

George Bush (7/17/80)
 - o "The Republican platform reads as if it were written by a Klansman."

Bill Wilkinson
The Imperial Wizard of
the KKK (7/30/80)

FOREIGN AND DEFENSE POLICY

- I. FOREIGN POLICY: Reasonable people disagree on aspects of foreign policy, but almost everyone agrees on one thing -- that foreign policy is a complex question which requires great care. Everyone but Ronald Reagan.
 - o "In the case of foreign policy, I am equally unimpressed with all this talk about our problems being too complex, too intricate, to allow timely decision and action. The fetish of complexity, the trick of making hard decisions harder to make; the art, finally, of rationalizing the non-decision, have made a ruin of American foreign policy." (5/21/68)
- II. RESPONDING TO THE SOVIET INVASION OF AFGHANISTAN: Ronald Reagan says we should have been tougher in our response to the invasion of Afghanistan, but all he has come up with is a blockade...of Cuba.
 - o "One option might well be that we surround the island of Cuba and stop all traffic in and out." (1/29/80)
- III. RESPONDING TO AFGHANISTAN, PART TWO: Ronald Reagan decries vacillation in our foreign policy, and yet he has hardly been steadfast on the Olympic Boycott.
 - o "What would happen if the leaders of the Western world told the International Olympic Committee and the Soviet Union that torch must be lit in some other country...If they don't and we participate in the games anyway, what do we say to our young athletes about honor?" (10/3/78)
 - o "It's (the boycott) a tough one. I haven't really sat down and made up my mind about it." (3/26/80)
 - o "I support the boycott today. I supported it yesterday. And I supported it when the President first called for it." (4/11/80)

- IV. RESPONDING TO AFGHANISTAN, PART THREE: Even though he had at least twice before called for halting grain sales to the Soviet Union, when President Carter did so to protest Soviet aggression, Ronald Reagan chose politics instead of principle.
- o "I don't believe the farmer should be made to pay a special price for our diplomacy, and I'm opposed to what's been done." (1/7/80)
 - o "If the Russians want to buy wheat from us...I wouldn't sell it to them." (9/30/79 after disclosure of Russian brigade in Cuba)
 - o "But isn't there also a moral issue? Are we not helping the Godless tyranny maintain its hold on millions of helpless people? Wouldn't those helpless victims have a better chance of becoming free if their slave masters collapsed economically?...Maybe there is an answer -- we simply do what's morally right. Stop doing business with them. Let their system collapse but meantime buy our farmer's wheat ourselves and have it on hand to feed the Russian people when they finally become free." (10/29/75)
- V. MILITARY SUPERIORITY: In the space of four days this January, Ronald Reagan debated himself on military superiority and the ensuing arms race...and he lost.
- o "What I have said is that our defenses must be whatever is necessary to ensure that the potential enemy will never dare attack you. Now, if that is equivalence or if that is superiority, you must have the degree to know that you are safe. I could see if you really strive for an obvious superiority then you may tempt the other side into being afraid and you continue escalating on both sides..." (1/13/80)
 - o "The president should announce immediately a military buildup aimed at restoring our military superiority." (1/17/80)
- VI. NUCLEAR NON-PROLIFERATION: While people might disagree on SALT, almost all agree on the need for control of the spread of nuclear weapons to other countries. But not Ronald Reagan.
- o "I just don't think it's (non-proliferation) any of our business." (1/31/80)

VII. PANAMA CANAL: Ratification of the Panama Canal Treaties has opened a new era in our relations with Third World Countries, and none of the dire predictions of the Treaties' opponents have come true. But Ronald Reagan continues to rattle his saber.

- o "If there is any possibility of keeping the Panama Canal, believe me I would do it..." (1/17/80)

VIII. SOUTH AFRICA: The policies of the white minority in South Africa are almost universally opposed throughout the world...except by Ronald Reagan.

- o "Isn't it time we laid off South Africa for awhile?... As for letting South Africans work at solving their problems while we solve our own, all in favor say 'Aye'." (10/22/76)

Reagan & Bush

D-40

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

September 22, 1980

MEMORANDUM

TO: Ed Meese

FROM: Stef Halper *SHH*

SUBJECT: Carter Initiative

It has come to our attention that Mary King, Deputy Director of Action and her husband Dr. Peter Bourne suggested to Carter that he announce a major expansion of the Peace Corps and the Job Corps in early October. Carter is said to have agreed.

This action is clearly intended to evoke the idealism, compassion and ingenuity of JFK; it is directed toward the 18-25 year old age group.

We could pre-empt Carter by observing how ineffective and mismanaged these programs are and calling for a renewed and expanded commitment to the ideal of helping people to help themselves.

There are, of course, other options.

1399

August 11, 1980

MEMORANDUM

TO: Ed Meese

FROM: Max Hugel

Bill Casey asked me to have you review this memo which fell into my hands and to come up with some of our own strategy on this particular subject that might counteract this effort.

Attachment

1400

July 28, 1980

MEMORANDUM FOR TIM KRAFT
TOM DONILON
LES FRANCIS
PETER KELLY

FROM: BERRY CRAWFORD *Berry*
SUBJECT: Convention and General Election Rural Activities

This memo summarizes our rural strategy for both the Convention and the general election. This strategy has emerged from the earlier Watson memos and recent conversations with Rick Hutcheson, Tom Donilon, and others on what approaches would be both procedurally acceptable and substantively most effective.

Convention

We plan to convene a national rural caucus at the Convention. Key activities will involve:

- o Setting aside a two-hour block of time in a suitable meeting room where rural (small city, small town) delegates can meet and hear from nationally recognized rural leaders (e.g., Jack Watson, Ray Marshall, Bob Bergland, Herman Talmadge, Pat Leahy, Bill Alexander) on small town/rural issues and the Carter rural record.
- o Setting up a workroom suite at the Convention headquarters hotel where rural delegates can obtain detailed information on the President's rural policy and how their states, counties, and communities have benefited under the Carter Administration, and where this information can be incorporated in tailored press releases for use when the rural delegates return home.
- o Using state rural whips and two floor leaders (J. B. Bleckley and Eugene McCord) to contact non-metropolitan delegates and encourage them to attend the rural caucus and visit the workroom suite.

In this connection, the Campaign/DNC is requested to do the following:

- o Schedule a meeting room and a two-hour block of time for the rural caucus.
- o Provide credentials for those state rural whips who are not delegates (see attached list) and for the two floor leaders (J. B. Bleckley and Eugene McCord).

- o Reserve a workroom suite with an adjoining bedroom for McCord (August 9-14).
- o Include an announcement of the rural caucus in a DNC mailing before the Convention (I can provide draft language).
- All related expenses--including the bedroom and workroom suite; rental typewriters, a xerox machine, and refreshments for the workroom; rural caucus buttons; and possibly caucus stationery--will be covered by McCord.

I will be responsible for the caucus event, including lining up nationally prominent rural spokespersons.

General Election

Post-Convention activities will focus on working through state rural coordinators (and county coordinators to be selected by the state coordinators) in approximately 20 target states to get this message out: that under the President's Small Community and Rural Development Policy, this Administration has done more to address rural problems and needs than any past Administration--and that this deep concern for rural America grows out of Jimmy Carter's own rural roots. Farm issues could be addressed as part of the effort, but the emphasis will be on the needs and problems of small city and small town residents (e.g., health, transportation, housing, energy, economic development, etc.).

We should plan to select the state rural coordinators in as many of the target states as possible before the Convention, so we can use them as state whips for the caucus. Recommendations for rural coordinators in key states are noted on the attached list of suggested whips. These names have come from J. B. Bleckley, Eugene McCord, and myself--and are either people we know personally or have been recommended by others who are close to the campaign efforts in the states.

We should also plan to invite the state rural coordinators to Washington, D.C., in late August for a strategy session with White House and Campaign/DNC staff and possibly a White House reception. The strategy meeting will involve a full briefing on the rural policy, and an opportunity to provide materials for campaign use (mailings, etc.), including complete information on grant-in-aid which has flowed to the states and counties.

It is anticipated that the coordinators will not be paid campaign workers, but money will be needed to pay travel and other expenses (e.g., telephone, printing, and postage) when state campaign offices/resources are not readily available. To cover these expenses--and possibly the salary of a full-time rural affairs staff person at C/M or DNC (which I recommend)--one or more fundraisers is recommended (see next page).

Fundraiser

3

To raise money for the post-Convention rural effort, we propose holding a fundraiser in Washington, D. C. after the Convention. A steering committee of influential rural supporters in both the public and private sectors could be formed to sponsor and help organize the event. Speakers could include key Administration spokesmen for the policy (e.g., Bergland, Marshall, Watson) and/or supportive Congressional members (e.g., Talmadge, Leahy, or Alexander). With guidance from C/M Headquarters or D. I would like to move ahead in planning such a fundraiser.

1402

MEMO

D-271

WILLIAM E. TIMMONS
PRESIDENT

SEP. 25 1980

TO ED MEESE →

WHAT THINK?

B₁

TIMMONS AND COMPANY, INCORPORATED
1850 K STREET, N.W., WASHINGTON, D.C. 20006
(202) 331-1760

1403

SENSITIVE IN NATURE
CONFIDENTIAL

17 SEP 80

MEMORANDUM

TO: Max Hugel

FROM: Jack Kelly *JK*

SUBJECT: Meeting requested by General Ellis, USAF

General Ellis of the United States Air Force is Commander of SIN/SAC he has requested a sitdown with the Governor to discuss the deterioration of the Strategic Air Command. Due to his rank and position he cannot formally institute the meeting but if a meeting were requested by RR he would be happy to sit down with him. The media exposure of such a meeting could be considerable in that the General has said he "wants to blow Jimmy Carter out of the water".

Please contact me as to the routes to be taken to implement this request. Please note that this request should not be too broadly advertised. The General must keep a "low profile" in his political actions.

*Bill Fumma
What do you think?*

Max Hugel

*PST
Request made
20-22 to me*



Wright
McNeill Associates
Consultants to the
Republican
National
Committee.

ED MEESE →
Idea how to
counter??

D-2

October 17, 1980

MEMORANDUM

TO: Let Toole ✓
FROM: Thelma Duggin ✓
RE: The Carter Plan for the Black Vote

The Carter Campaign originally budgeted \$1 million for the Black effort. This amount has been spent. They estimate that they will need another \$25,000 to pull off a surrogate caravan in the Black community. Presently, they are debating whether or not to allot these additional funds—the general feeling in the Carter camp is if they do ~~not~~ make this extra effort then they will certainly lose; therefore, the probability of them allocating these funds are extremely strong.

The caravan which they are planning will be divided into three groups. The leaders of these groups will be Andy Young, Maynard Jackson and Coretta King. There will be a total of 27 other Blacks included in this caravan. The targeted cities will be Houston, Philadelphia and Miami. In these cities the Carter campaign will be releasing the 30 member Black caravan to do an all out blitz in the Black community. They will be concentrating on churches and civic organization rallies.

It should be noted that the Carter campaign has in possession a very sophisticated video tape, produced in Japan, of the Imperial Wizard of the Ku Klux Klan. On this tape the Imperial Wizard explains why he is supporting the Republican Platform and the Republican President Candidate. According to my sources, this film is very hard hitting and even repulsive to many of the Carter aides. This film will most likely be utilized during the aforementioned blitz.

If the money is allocated to this effort it will go into high gear by next week.

I received this information from a very reliable Carter aide and it should not be taken lightly. I feel that it is essential that the Reagan Bush campaign be prepared to counter act this effort should the Carter campaign decide to allocate the necessary funds.

Memo

To: William Casey, Drew Lewis

From: Anthony R. Dolan

Re: Illegal transfers ~~to~~ Fed. Departments.

D-7P

1. Information appears to be very hard -- although transfers may be in the works and not completed.
2. Information came from source who attended meeting at (deleted) Department where Department personnel officer recited these figures and asked how in the hell this many people could be delegat from his department. The personnel officer was trying to decide who would go. My source went back and had him read figures over again.
3. I will solidify this even further on Monday when I meet again with source.
4. We should hit them very hard with this for following reasons: (a) we found out before press did -- makes us look good (b) will scare hell out of Carter campaign because we're ~~sk~~ so on top of things (c) will nip this stuff in the bud and inhibit Carter people for rest of campaign.
5. The following scenario is proposed:
 - (a) Letter from Drew Lewis to Sen. McClure (I've spoken with him about this -- he is willing) in which Lewis asks about unverified reports.
 - (b) McClure calls appropriate federal agencies and finds out whether such transfers are being made.
 - (c) If they are confirmed, McClure and Lewis hold press conference and Lewis announces that PTC has that morning filed an injunction in court.
 - (d) Lewis visits Common Cause, Nafer group, League of

Women voters as well as Post and Star editorial offices. He tells them "This is your fight, not just ours."

(e) McClure and others in Congress demand special prosecutor on the floor. Threaten to hold up appropriation bills.

(f) Lewis announces panel of 6 former GOP prosecutors who are going to monitor White House and Carter campaign. This group will file petitions in court and seek arrests or grand jury investigations.

(g) RNC buys 5 mins TV time -- Lewis blasts Carter. His theme is "A few weeks ago, I was just like many of you, a private citizen living outside of Washington. But Ron Reagan ask me to come to the capital and work for him: here's what I ~~found~~ found they're doing with your tax dollars."

(h) FNC produces white paper on abuse of incumbency by Carter and President Ford introduces the paper at D.C. press conference. He is shocked by this kind of conduct.

(i) We play it by ear from here but permutations are multitudinous.

The following things should be done by following people:

Casey: Give approval

Lewis: Give approval, talk to McClure, assign Barodv to research for incumbency white paper, order lawyers to prepare injunction, order lawyers to set up prosecutors panel, meet with GOP leaders in house and senate, talk to Jerry Ford, prepare 5 mins. TV drama
Dolan: Coordinate with McClure and lawyers group, write letter from Lewis to McClure, coordinate with McClure on calls to departments and demand for special prosecutor

coordinate with lawyers on special prosecutors panel,
 set up meetings with Common Cause, Mader, newspapers
 etc., write 5 mins. TV broadcast draft, coordinate
 McLure and Lewis press conference, ^{Coordinate} prosecutors' press
 conference, coordinate Ford press conference.

Baroody: Supervises white paper on incumbency abuses, assigns
 staff members to work on this paper, assigns ~~staff~~
 one or two staff members to work with Dolan on setting
 up staff press conferences.

PLEASE FORGIVE TYPING ~~MAJOR REVISIONS TO THE FOLLOWING~~

~~THE FOLLOWING IS A SUMMARY OF THE REVISIONS~~

I

1408

CONFIDENTIAL

D-156

MEMO

TO: WILLIAM CASEY
FROM: ANTHONY R. DOLAN
RE: FEDERAL TRANSFERS

My source is working ~~hard~~ hard to get copy of memo from White House. Difficult, as you know. However, this much has been learned: the memo came from Geroge Moffett III, an assistant to Jack Watson, chief of staff, and was sent to Elizabeth Burch, who is described by my source as "confidential assistant" to the secretary of labor. According to my source, the memo says that a number of people from labor will be assigned to "special ~~prone~~ projects" at the White House. Interesting, because the White House describes Moffett as an assistant for foreign policy matters. (41)

In any case, a word of caution, I have no prior experience with this source and am hesitant about the information. My gut feeling is, however, that he is reliable.

D-299

MEMORANDUM

TO: WILLIAM J. CASEY
 FROM: ANTHONY R. DOLAN
 RE: INCUMBENCY WATCH

I As you know a carefully planned program to abuse the incumbency is underway.

1. The morning after the governor's acceptance speech Campbell of the Office of Personnel Management, which has charge of the Civil Service to a considerable degree, called a press conference to denounce us. This makes a mockery of Campbell's claims as a Civil Service reformer.

2. Campbell's attack is only a small part of a massive surrogate attack on RR. During the convention, Secretary of Defense Brown took a swing at us and followed it up this week with his second attack. Muskie has blasted us for wanting to start "an arms race." Goldschmidt hit us over the speed limit thing yesterday. These have little impact now, but over a long period of time they will begin to have a considerable effect.

3. The White House -- from my own investigation and from a recent report by Jack Anderson -- has moved hundreds of employees from federal departments to the White House for "special projects." The memos, sent by White House aide Moffett, may be obtained today -- my best source is taking to lunch the personal assistant of one of the key figures in this drama, who has a copy of the memos. (My former memo on this is attached.)

4. The Carter trips to Florida and Houston should probably have been paid for by the campaign. I have a memo coming on this.

WJD
 1/15/73
 1/15/73
 1/15/73

5. The Carter-Mondale ticket have failed to pay back penalties owed from the 76 election.

II Counterattack

1. The first step was taken today with the statement I ghosted for McClure on the Campbell episode. (Attachment) We intend to make an example of him by pursuing the demands for an investigation of his office.

2. McClure is lining up one or two other senators and we will hit very hard on the illegal transfers, the political trips and the failure to pay back campaign penalties.

3. Far beyond ~~on~~ this, however, is the abuse of the incumbency over the long term in the Carter administration. I have lined up about four more attacks on the Carter Justice Dept. and then a lengthy speech on the Justice Dept. that will be delivered on the Senate floor. We will push this very hard with the press --- the focus is not Libya but the failure of the Justice Dept. to follow up on case after case after case.

4. After we begin these attacks they will develop, obviously, a momentum of their own and the press itself will become the champion of the "Incumbency watch."

5. We are preparing a lengthy account of the incumbency abuses that took place in the race with Kennedy and we intend to include them in our two-to-three times a week attacks in this area.

6. We are putting together a carefully planned series of attacks on Carter's surrogates in order to take them out of the business of attacking RR.

I think it is essential -- at the outset of this campaign -- that the American people and those of us in Congress who support Ronald Reagan, make something plain: we will not sit by while Jimmy Carter and his crackerbarrel acolytes undermine the Civil Service system, abuse the power of the executive branch and demean the office of the presidency.

Therefore, I have written today to ranking members of the Civil Service oversight Committees of both the House and Senate and requested that they query Mr. Campbell on the following points:

1. Was Campbell ordered by operatives of the Carter-Mondale campaign to set up his news conference? Did he resist political pressure or did he willingly cooperate? Was he threatened with any reprisals?
2. Was Campbell at any time -- in written form or verbal -- warned by other Civil Service personnel about the harmful effects his political hucksterism would have on the integrity and reputation of the Civil Service system?
3. What meetings and communications during the past few months has Mr. Campbell had with operatives for the Carter-Mondale ticket?
4. Will Mr. Campbell continue his brazen political activity? Will the House and Senate place restrictions on campaigning?

By now, it is clear that Jimmy Carter intends to make the coming campaign a very tough, very emotional one. In 1976, Jimmy Carter engaged in cruel personal attacks on Senators Jackson and Humphrey and President Ford. This year, Jimmy Carter has already engaged in similar attacks on Senator Kennedy, even going so far as to impugn his patriotism.

In addition to irresponsible personal attacks, it is clear the Carter Administration -- to the extent it is permitted to do so by the media and the American people -- intends to use federal tax dollars and government officials to hide its disastrous record and engage in irresponsible attacks on the Republican ticket.

To: Ed Meese

From: Tony Dolan

also attached (attached)
 containing "Talking Points"
 and "Memorandum #3" as well
 as "Daily memo" and
 suggested press releases

Memorandum #3

THE OPPOSITION CAMPAIGN

1) Talking Points, Fact Sheets, and Alerts will have different color logos and be distributed each Thursday afternoon on the Hill and in mailgrams. Next week's package will have attached this week's package done in the new format.

2) House and Senate Strategy Briefing. A meeting will be held next Thursday to brief House and Senate members on our opposition strategy so that over the Labor Day weekend their remarks will be consistent with ours. This will also give them an inside look at the campaign, (possibly lead them to conclude that we are competent) and when in the future surrogate speech statements are requested they will have a full understanding of our strategy and where it is trying to go, and where the statements given fit in the overall pattern. This is Williamson's show -- I am preparing the agenda.

3) Print Ads which lay the foundation for Phase I -- credibility, cronyism, cosmetics, personal attacks, and abuse of the incumbency, -- are being prepared.

4) Laxalt Letter -- to editorial writers focused on Carter smears both in this campaign and in previous campaigns are now being prepared. Good ~~distribution~~ ^{play} will be achieved through ~~a good time release~~ ^{by} time for this week-end, ~~and next weekend~~. It will pull the rug out from under Carter's attack strategy by making editorial writers vigilant.

5) Ford Spots. Text for ~~proposed~~ Ford spots on economy and defense (Phase II -- dwells on the major issues and broken promises) are being prepared. Suggested style is David Garth's Koch ads in New York Mayor's race. (Ford speaking about specific screw-ups -- Ford is probably the man to begin television criticism of Carter administration -- as he left the defense programs that have been cut -- a line appears under his name.

6) FEC Complaints -- must start next week. Widenfeld, Smith, Meese, Gray, and Dolan will meet on this next Wednesday.

7) Patricia Harris Press Conference -- Mrs. Harris is planning a press conference for next week. My source has sent me a copy of her planned remarks. We should have in our hands a press release ready to go ~~waiting her~~ on waste and fraud -- she is going to say there isn't much and we are going to quote the Justice Department, the Comptroller General, and Joe Califano on the same subject. The release should be delivered minutes after her conference concludes (This will impress the press). We should announce waste and fraud advisory group who criticize Harris and then hand that out as the reporters walk out of her press conference. We should also prepare to have the press conference dwell not on her accomplishments but her smear of the GOP -- I have received this morning some clips -- press reaction has been very negative. We should exploit this.

8) Ford Speech -- suggestions -- a speech early in the campaign by Ford in which he summarizes Phase I with emphasis that Jimmy Carter is demeaning the presidency. Working.

9) Transfers -- further abuse of the incumbency by transferring Department employees to White House to be discussed at FEC meeting. We should call for Congressional Investigation and GAO study. Next week.

10) Defense Surrogates Press Conference -- Haig and Rumsfeld should come to Washington for a roundtable exposure of the Carter record on defense. Should be last week in August.

11) Waste and Fraud Extravaganza -- We may have to push this into the first week of September -- but the idea was lots of charts and graphs with an eight or nine point plan. Also TV spot.

12) Justice -- Larry Silberman will be here Wednesday to discuss our

strategy laid out in earlier memo. Basically (a) Silberman and Uhlman white paper or speech (b) Senators -- Baker calls for 8 man probe of Justice Department, (c) U.S. Attorney and Former Department of Justice Officials Panel, (d) Levi, Richardson, and Rogers speeches on Justice, (e) Civiletti wedge.

13) Muskie -- we must continue to get this story out -- possibly have Ronald Reagan pledge that his Secretary of Defense and State will never engage in partisan politics.

14) Energy Surrogate's Press Conference -- William Simon and others cite Schlesinger's admission and the GAO report showing that Department of Energy cause the gas lines. Carter keeps hitting his energy accomplishments.

15) Bush Speech -- It is essential that Bush begin using inserts on diplomatic vaudeville. He should later give speech on decline of intelligence agencies and new boy network.

16) Sam Brown Incident -- a surrogate should bring up Sam Brown's embrace of the North Vietnamese and his congratulations to them on winning the war at UN conference. This plays beautifully off the New Boy Network. If Carter is serious about revising his views of the Soviet Union -- he should show it by firing the compulsive defeatists in his Administration.

17) McClure Follow-up -- investigation by Percy and Leach of the misuse of Campbell's personnel office to aid Carter campaign.

18) 20 Questions for Mr. Carter -- Why did he break his promises on this, that, and the other?

19) Quotes From Chairman Jimmy -- press party handout along with rerun of Carter TV ads -- Nofziger is the host.

20) Southern Tour on Military Readiness -- Haig, Rumsfeld, Thurmond, Goldwater, Jack Edwards, Tower, etc. go visit a military installation in Alabama, Mississippi, Florida, Texas, Louisiana, and other key Southern states -- hitting issues understood there -- the fighters that can't fly (we have the

statistics^{*} and America's decline around the world. If polls have us out ahead, we should do this as soon as possible. If polls show close fight we should do this later in the campaign.

21) Philadelphia Tour -- Handout on Marston affair should accompany Ronald Reagan on Philadelphia visit. Also, Marston should be at his side.

22) Agriculture Tour -- surrogates like Dole and Former Secretaries should tour farm states on the take-over of the Agriculture Department not by farmer's interests, but Naderites.

- - - - -

SPECIAL GROUPS

1) Volunteer Special Research Group -- this is a group of veteran researchers who are meeting Monday night. We will attempt to make each of them focus in on key states and thereby start~~ing~~ little brushfires on a state level.

2) Neal Freedman Group -- with your permission, Neal will hold first nightly meeting of think-tank -- possibly Thursday or Friday.

3) Hill Volunteers -- press secretaries from Hill who can handle some volunteer work for us. Meeting sometime next week or week after.

4) ReadyReaction Force -- still need a panel of writers and researchers early in morning to do surrogate attacks. The simple truth is we have no writers, we need writers. This should be a joint press and issues operation, I think.

###

X 6/10/11 INFO

Memo

From: Anthony R. DolanTo: William Casey

Re: Carter record

D-179

357-1100

1. This took about two and a half weeks to prepare and pulls together your recommendations as well as those of Cliff White, RNC's seven or eight experts, six House of Reps. experts, several journalists and some other sources.

2. We are a good way towards mastering the Carter record -- I've read pounds of research material and several books and consulted a flock of specialists on everything from the military to the budget. These resources are now at our fingertips.

3. You should note:

(a) This is a research memo (67 pages) containing facts, dates and carefully constructed accounts of key events (Marston affair, Andy Young incident) in the Carter Administration. As it progresses into defense and economic areas, the approach becomes statistical but not, I hope, boring. It suggests some new lines of attack (corruption probes, new boy network, waste and fraud stories). It combines the standard Republican-conservative orientation with an investigative reporter's approach for a comprehensive look. It also relies in the main on anti-Carter quotes from respected journals or Democrats.

(b) It is written in the style of an "attack" speech because it is easier to visualize its impact that way. It can also be easily condensed into a vice presidential acceptance speech or parcelled out to surrogates or turned into scripts for commercials and documentaries.

(c) I would hope, however, that it has real value as

OUTLINE

- I Promises Promises
- II Carter Justice
 - a. Griffin Bell
 - b Marston Affair
 - c Civiletti Years
 - d Scandal/Unpursued
- III National Defense
 - a Brown and Fitzgerald
 - b But Not Secretary Brown
 - c The "Peacemaker" - Unilateral Cutbacks
 - d Manpower, Spare Parts, Budget Magic and the Nimitz Incident
- IV Foreign Policy
 - a Andy Young
 - b Diplomatic Vaudeville
 - c Inordinate Fear of Communism
 - d New Boy Network - Carter's Little Kissingers
- V The Economy - From Deficits to Chaos
 - a Bert Lance
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I PROMISES, PROMISES

When he ran for president, Jimmy Carter pledged to the American people a government that would be efficient and competent.

He promised a streamlined, reorganized executive branch - with officeholders whose integrity and professionalism would be unquestioned.

He promised to reject cronyism, to put an end to politics as usual.

The very day he announced for the presidency he promised that he would appoint all major federal officials - and I quote - "strictly on the basis of merit."

"Why not the best?" he asked.

And when he ran for president, Jimmy Carter pledged a government that would be open and honest. He promised a government that would never suppress federal reports on waste and corruption, that would never harass "whistleblowers" who exposed bureaucratic wrongdoing, that would never lie to the public.

Why not a government ~~as good~~ as "as good as its people", he asked.

Tonight I ask the American people to compare these promises of Jimmy Carter during the 1976 campaign with the actions of Jimmy Carter after the votes were counted.

I ask the American people to compare the "good government" rhetoric of candidate Carter in 1976 with the public record of President Carter in 1980.

I do not ask the American people to take the word of any Republican about this administration's record. But I do ask the American people to join with me in looking closely at that record, in listening to the facts about it, and hearing what those who have no partisan interest have said about Jimmy Carter's performance in office.

II CARTER JUSTICE

(A) Griffin Bell

On August 12, 1976, Jimmy Carter told the American Bar Association that he would appoint an attorney general who was "removed from politics", who would enjoy "independence and authority" like that of the special Watergate prosecutor.

One of Jimmy Carter's most repeated 1976 promises was a pledge to take politics out of the Justice Department and appoint an attorney general who was beholden to no one, a man above reproach.

That's what Jimmy promised.

But what did Jimmy do?

Jimmy Carter gave the American people a non-political, independent attorney general who was a former advisor to a segregationist governor of Georgia, a state campaign chairman for a Democratic presidential nominee, the friend and law partner of Jimmy Carter's own best political buddy, Charlie Kirbo of Atlanta, and a fundraiser and speech writer for the Jimmy Carter for President campaign in 1976.

So much for the non-political, independent choice for attorney general. So much for an end to cronyism at the Justice Department.

Well, what about the pledge of competence, professionalism and unquestioned integrity?

That's what Jimmy promised.

What did Jimmy do?

Jimmy Carter gave the American people an attorney general who made one ruling of nationwide importance while he was a judge - a ruling the Supreme Court overturned by a vote of 9 to 0 - a ruling that the judge himself later admitted was "a mistake."

Jimmy Carter gave the American people an attorney general who, as a judge, had failed to disqualify himself from sitting on a case he had worked on while a private attorney, who accepted \$2,000 worth of free memberships from social clubs that discriminated against blacks and Jews, who had failed to report these gifts as he was required to do to the U. S. Judicial Conference, and who had even given a favorable judicial ruling to one of these clubs ^{from which} ~~the same time~~ he had received a gift. ~~from the~~

Jimmy Carter gave the American people an attorney general whose judicial record forced Dean Monroe Freedman, one of the Bar Association's foremost experts on legal ethics, to tell a Senate committee that Judge Griffin Bell of Atlanta, Georgia - the attorney general Jimmy Carter gave the American people - had violated the federal recusal statutes and the canon of legal ethics.

Even a member of Mr. Carter's own party, Senator William Proxmire, criticized the close personal and political ties

between the President and his choice for attorney general. Even a member of Mr. Carter's own party, Senator Donald Riegle, spoke of the "new cynicism" that the attorney general's appointment generated in Washington. Even a member of Mr. Carter's own party, Senator Gaylord Nelson, said the appointment meant that the Democratic administration was adopting a double standard: one for Republican office-holders; one for Democrats.

(B) The Marston Case

Did it come as any surprise then ~~when~~ only months after Jimmy Carter's independent, non-political choice for attorney general took over at the Justice Department that the department was plunged into one of the most awkward, demoralizing, tawdry, and crudely political episodes in its history?

Now, you remember the promises Jimmy Carter made about his administration, especially his Justice Department.

On August 12, 1976, Jimmy Carter said that as president, "I will not turn my back on official misdeeds. I intend to take a new broom to Washington and do everything possible to sweep the house of government clean."

On December 12, 1974, the day he announced for president, Jimmy Carter said he would see to it that the American government was one ^{the people} ~~was~~ could ~~have~~ "love and trust" - if any member of my cabinet should tell you a lie, he'll be gone the next day," he said.

On July 17, 1976, Jimmy Carter told the National Journal that he would be one president "who would be able to admit a mistake publicly when one was made."

On March 1, 1976, Jimmy Carter even issued what he called "a new code of ethics." In it, he said: "As president, I will be responsible for the conduct of the executive branch of government. Errors or malfeasance will be immediately revealed and an explanation given to the public, along with corrective action to prevent any recurrence of such actions."

Never in modern history did a presidential candidate talk so much about the issue of ethics in government. Never in modern history did a presidential candidate promise such high standards of conduct for government officials.

That's what Jimmy promised.

But what ^{did} Jimmy do?

Some of us here tonight remember the name of David Marston. And I want to assure our Democratic friends that in the weeks and months ahead that is a name they are going to hear again and again and again.

David Marston was a dedicated young U. S. Attorney in Pennsylvania who had aggressively pursued corrupt officials - both Democrats and Republicans - in state and local government.

In the fall of 1977, David Marston's office was working on an investigation of two influential Democratic Congressmen from Pennsylvania. On November 7, 1977, one of these Congressmen called the President of the United States and

demanding the firing of David Marston because - the Congressman alleged - Marston was prosecuting "only Democrats."

You remember all those words about a government we could love and trust - you remember Jimmy Carter saying that we must "protect our federal employees from harassment and dismissal if they find out and report waste or dishonesty ..."

That's what Jimmy promised.

But what did Jimmy do?

After he received that call from a corrupt Congressman - a man who would later plead guilty to criminal charges - Jimmy Carter didn't question the propriety of a Democratic politician calling the chief executive and demanding that a successful prosecutor be fired, nor did he question the untrue allegations made by that Congressman about that prosecutor, nor did he even wonder what other motives might lie behind such blatant political pressure.

All that Jimmy Carter - the self-proclaimed protector of whistleblowers in government - did was call his attorney general, repeat the complaints of a corrupt Congressman, and ask for Marston's dismissal.

And the attorney general told the President not to concern himself, that he had already decided to fire this troublesome young man from Pennsylvania who had annoyed a good Democrat in Congress.

And the president, the same president who promised an independent non-political attorney general, told his former speech writer and fundraiser and old friend from Georgia,

"I wish you'd hurry."

You remember those promises about a president willing to admit his errors, who said that malfeasance would be immediately revealed and the public given an explanation? About reports that would never be suppressed? About a president who would never lie to us?

That's what Jimmy promised.

But what did Jimmy do?

When word of Marston's firing leaked out and rumors began of the Congressman's call to the president and the Congressman's own involvement in a criminal matter, the people of Pennsylvania started a firestorm of protest.

And then the twists and turns began - from the president who would never lie to us:

-- At a press conference on January 12, 1978, Jimmy Carter was deliberately evasive, claiming that he had urged Democrats in Pennsylvania not to interfere in the selection of a new U. S. Attorney there. Only after a reporter pressed him on the point, did he disclose the call from the Congressman and his own call to the attorney general.

-- And Jimmy Carter insisted he had not interfered in the Justice Department --- all he said he did was ~~quote~~ "Expedite the process."

-- The President repeated the charge that U. S. Attorney Marston had improperly discussed secret matters with the press. This ~~was a~~ charge ~~that~~ was untrue. This ~~was a~~ charge

~~what~~ was irresponsible. This was a charge that the Justice Department and the White House later admitted could not be backed up. And to this day, it is a reckless accusation for which Jimmy Carter has never apologized to David Marston or to the American people.

-- When a Senate committee sought to investigate the Marston case, the White House left three affidavits out of an FBI report it sent to the committee. Why? Because those affidavits were supportive of David Marston, not the administration of Jimmy Carter.

In a speech to the National Press Club on Griffin Bell, the president's non-political independent attorney general, explained the Marston affair:

"We have two parties. The Democrats are in. They get in to complain easier than the other party can." "... this is a political system in this country," said Jimmy Carter's old Georgia political ally.

Now I said at the outset that I expected no one to take a Republican's word for any of these facts.

Here is what a crusading newspaper - the Philadelphia Inquirer - said about the Marston affair:

On Jan 22, 1977 the Inquirer charged that the Marston affair raised the question of whether the Carter administration was deliberately obstructing justice in a criminal investigation. ^(Jan 29, 1977) The Inquirer charged that Griffin Bell had allied the Carter administration with "forces of government by graft" and helped them to "punish" and "remove"

a man who had effectively combatted political corruption.

This independent newspaper which has ^{recently} won five Pulitzer prizes put it more bluntly ^(on Jan. 13) than any Republican critic ever could:

"Mr. Carter has told the nation that he puts political expedience above concern for justice or for honest government. Mr. Carter has revealed his administration and especially his Department of Justice as shockingly hypocritical."

(C) Civiletti Years

Some time later, Griffin Bell resigned as attorney general. It was certainly logical to think that Jimmy Carter would now go out and find a new non-political, independent attorney general ^{-- a new} who ~~was~~ not connected with politics or Georgia or the Marston case.

Jimmy Carter ~~now~~ had a second chance. Remember what he said about admitting past mistakes and taking corrective action?

That's what Jimmy promised.

But what did Jimmy do?

He appointed a new attorney general who had been a Democratic political fundraiser. A new independent attorney general who was first recommended to the Justice Department by what Democratic politician? Good old Charlie Kirbo from Atlanta, Georgia.

Jimmy Carter appointed as attorney general the very official who had been in charge of the criminal division during the Marston case - an official who never once protested ^{yes} Jimmy Carter ^{ed} Griffin Bell ~~and never~~ fire one of the best prosecutors on his staff.

And when a Senate investigating committee heard testimony and found evidence that the Justice Department had been warned about the criminal actions of the congressman who called the president, what Department of Justice official had received that warning? And what Department of Justice official told the Senate committee he just couldn't remember the conversation?

The official's name was Benjamin Civiletti - Jimmy Carter's new, non-political, independent attorney general.

Maybe Civiletti had been part of the Marston case, maybe he had been a political fundraiser, maybe he did have friends in Georgia - but wasn't it possible that the Carter administration had really learned from its mistakes?

That's what Jimmy promised.

But what did Jimmy do?

Not long after Benjamin Civiletti took over as attorney general he went on a blatantly political tour of Baltimore with Jimmy Carter - in direct violation of ^{his} promise to a Senate committee that he would avoid political activity.

Not long after Benjamin Civiletti took over as attorney general, Jay Solomon, a courageous administrator ~~who~~ who was

cleaning up one of the worst money scandals in American history at the General Services Administration ran into trouble at the White House.

Jay Solomon wanted to replace a man he believed was an obstacle to his program of reform. But this man - and once again we see the all-powerful crony connection in the Carter administration - had a powerful advocate - none other than Mr. Democrat himself, House Speaker Tip O'Neill.

Soon Solomon's calls weren't being answered by the Georgia politicians at the White House.

In fact, soon it was announced that the White House would have its own lawyer look into the GSA scandal - a bizarre move that could potentially interfere with the Justice Department's own criminal investigation.

And the name of the lawyer who would be looking into the scandal? Good ole Charlie Kirbo from Atlanta, Georgia.

Did Benjamin Civiletti call the White House and explain the problem of such ^(potential) interference? Did he complain about Charlie Kirbo, the man who had gotten him his job at Justice in the first place?

Do I have to answer that question?

Not long after Benjamin Civiletti became attorney general, Jack Anderson revealed that criminal fugitive, Robert Vesco, attempted through White House friends of a Georgia businessman to influence a Justice Department attempt to extradite him. And once again, a lawyer began looking into those

allegations on ^{orders from the} ~~behalf of~~ White House ~~attorneys~~. A lawyer who actually told one witness in a tape recorded conversation "not to be too open" with the FBI.

And the name of that lawyer? Good ole Charlie Kirbo from Atlanta, Georgia.

(D) Scandals Unpursued

Now the Democratic Party said a great deal several years ago about the importance of appointing an independent special prosecutor whenever friends, relatives, or political allies of the White House are involved in criminal investigations.

But did Benjamin Civiletti appoint a special prosecutor to look into Vesco's attempted influence buying at the White House. Did he?

Even after the foreman of ^{the} ~~the~~ federal grand jury ~~that~~ was investigating the Vesco case resigned in disgust because of the Justice Department's footdragging - did the Carter administration appoint a special and independent special prosecutor? Did they?

-- When powerful Democratic Members of Congress were implicated in the Koreagate bribery scandal, did the Carter administration vigorously pursue those allegations by appointing an independent special prosecutor, did they?

-- When the president's best friend and personal banker,

Bert Lance, engaged in wholesale violations of the banking laws and made deceptive statements to a Senate committee, did the Carter administration appoint an independent special prosecutor, did they?

-- When the president's own brother engaged in possible violations of the Foreign Lobbyists Act on behalf of Libyan officials who were themselves suspected of scheming to bribe federal officials, did the Carter administration appoint an independent special prosecutor, did they?

-- When the St. Petersburg Times turned up evidence of fraud in the State of Georgia's gas allocation program during Jimmy Carter's term as governor, did the Justice Department appoint an independent special prosecutor, did they?

-- When the St. Petersburg Times discovered that thousands of dollars worth of those gas allocations had gone to a certain service station in Plains, Georgia, run by a man named Billy Carter, did the Carter administration appoint an independent special prosecutor, did they?

-- When the president's appointee to the post of Secretary of the Treasury was accused by a Democratic Senator, William Proxmire, of possible perjury before a Senate committee, did the Carter administration appoint an independent special prosecutor, did they?

-- When allegations of corrupt practices were made against the Civil Service Commission - the same Commission

that was cooperating with the Carter White House on so many new appointments - did the Carter administration appoint an independent special prosecutor, did they?

Even when Jimmy Carter's political advertising agency and his family business were investigated for possible campaign financing violations, it was only intense pressure by the press and Congress that forced the Carter administration to finally appoint a special counsel. And it was only more prodding by the press and Congress that forced the administration to give him the powers of a special prosecutor.

And even after all these months and a brief report that said there were no finance violations - the full report of that special counsel has never been released by the Carter administration.

Only a short time ago, the Senate Judiciary Committee wanted to investigate reports of political influence in the handling of corruption cases by the Public Integrity Section of the Justice Department. The Carter administration, which promised open government and an end to the abuse of executive privilege, has flatly refused to hand over those files.

Do not mistake me. Griffin Bell and Benjamin Civiletti were perfectly sincere Americans who had an honest belief in the political spoils system - men who simply did not understand the dangerous mix of politics and Justice Department investigations.

But, intentionally or not, under these two men the Justice Department was dangerously and insidiously infected with

politics:

- effective prosecutors were removed
- special prosecutors were never appointed
- and criminal investigations dragged on interminably while important deadlines passed and the right questions were never asked.

III NATIONAL DEFENSE

(A) Brown and Fitzgerald

Keeping alive the integrity of the Justice Department is a critical job for any administration but an even more solemn duty is maintaining the peace by assuring our military strength - - protecting this nation from foreign attack.

No one expressed it better than Jimmy Carter. On July 17, 1976, he told the National Journal "the number one priority of any president is to guarantee the security of his country - freedom from fear of successful attack or blackmail."

Besides the usual comments about the high quality administrator he would bring to his administration, Jimmy Carter also said that cabinet officers, not the White House staff, would run the executive department. And he implied he would appoint a secretary of defense with a high degree of independence.

On Sept. 28, 1976 Jimmy Carter told the Christian Science Monitor that as president he would insure a "strong, able, tough, muscular, well-organized fighting force."

During the 1976 campaign, Jimmy Carter also promised over and over again that five to seven billion dollars could be saved because of waste and fraud at the Pentagon. And he mentioned the name of Ernest Fitzgerald, an efficiency expert who had been fired after he had revealed multi-million dollar cost overruns in Air Force contracts.

Jimmy Carter promised once again that he would protect whistleblowers like Fitzgerald - that he would make government own up to its mistakes, particularly the defense department.

That's what Jimmy promised.

But what did Jimmy do?

He gave the American people a secretary of defense who was the very official in the late '60s who presided over the persecution and unjust firing of Fitzgerald, the very official who - according to Fitzgerald's book and the report of a permanent Senate subcommittee in December 1970 - had participated in the disgraceful coverups of the C5a and the F-111 warplane contracts, two of the worst military scandals in history.

It was Air Force Secretary Brown who said Fitzgerald was "no use to the Air Force", who told Fitzgerald that he was a "damn poor congressional witness", who helped fire Fitzgerald and engineer a coverup with euphemisms like "a

reduction in force" and "computer error."

It took a federal judge to put Fitzgerald back in his job and when in 1976 and 1977 he found another \$800 million expenditure for a program that Congress had ordered shut down - this time it was not just "Air Force Secretary Brown" but "Defense Secretary Brown" that Ernie Fitzgerald was up against.

And what did the new secretary of defense do about the new 800 million dollar embarrassment? He handled it the same way he handled the C5a and the F-111 problems: a coverup. He appointed an air force officer to look into it who had already disparaged Fitzgerald for harboring a "vendetta against the air force." And this general was working for another political general, Air Force Chief of Staff David Jones, who was so objective that he reportedly refused to walk into any room where Fitzgerald was present.

Ernie Fitzgerald - who voted for Jimmy Carter - had the same feeling after only four months of the Carter administration that millions of Americans have after four years of the Carter administration: complete disillusionment, total disgust with the litany of broken promises.

(B) But not Secretary Brown

The Carter administration had been warned about Brown's record, so why, if Harold Brown was exactly the opposite of

of the crusading waste fighter and righter of past wrongs that Jimmy Carter promised the American people, why was he appointed?

Harold Brown hadn't raised money for Democratic politicians, like Benjamin Civiletti and Griffin Bell. Harold Brown didn't have political friends in Atlanta, Georgia, like Benjamin Civiletti and Griffin Bell - Harold Brown had probably never had so much as a mint julep on Charlie Kirbo's veranda.

But Harold Brown's record did show a qualification that the Georgia politicians at the White House must have found indispensable. You see, when Harold Brown was Air Force Secretary in the 60's he had initially opposed the C5a and F-111 coverups - but when he discovered that his bosses in the White House and the Defense Department wanted these programs he reversed himself and meekly went along.

Clearly then Harold Brown was not the sort of man who made trouble for his bosses.

He was the sort of man who wouldn't stand up to the president or his cracker-barrel acolytes at the White House.

And in 1977 when Jimmy Carter took over the oval office he had other worries besides defense spending. A whole group of special interests like the education, consumerist and maritime lobbies had worked for his election; and all of these groups had their pet projects, their special claims on the federal treasury.

You might even say that in early 1977 Jimmy Carter had political obligations. You might even say Jimmy Carter owed.

You might even say Jimmy Carter wanted a secretary of defense who wouldn't effectively protest when he cut out muscle in America's military preparedness in order to mollify special interests.

In 1977, it wouldn't have been hard for Jimmy Carter to keep us militarily strong - Jimmy Carter had inherited the carefully made plans of President Gerald Ford to maintain our strategic superiority.

President Ford, and it is only one reason why Jerry Ford will be remembered as one of our greatest modern presidents, knew that the Soviet Union was spending billions in a crash program to achieve nuclear superiority. So he made certain that America would never face the nuclear blackmail that candidate Carter spoke about so eloquently in 1976 - before the votes were counted.

Just remember that Jimmy Carter said that his first obligation to the American people would be to protect them against nuclear blackmail - he promised that America's retaliatory capacity would be kept so strong that no foreign power would dare to even contemplate a surprise attack.

That's what Jimmy promised.

But what did Jimmy do?

-- Jimmy Carter delayed President Ford's plans for an MX missile system and forced us to play catch-up ball later. A strong secretary of defense would have protested, but not Secretary Brown.

-- Jimmy Carter shut down our only ICBM production line leaving us 50 Minutemen missiles short of President Ford's goals. A strong secretary of defense would have protested, but not Secretary Brown.

-- Jimmy Carter delayed President Ford's Trident II submarine and missile programs. A strong secretary of defense would have protested, but not Secretary Brown.

-- Jimmy Carter cancelled President Ford's B-1 bomber and air cruise missile system with its capacity for overwhelming Soviet defenses. A strong secretary of defense would have protested, but not Secretary Brown.

-- Jimmy Carter delayed President Ford's plans for sea-launched and ground-launched missiles. A strong secretary of defense would have protested, but not Secretary Brown.

-- Jimmy Carter stopped outright President Ford's plans for deployment of the neutron bomb.

-- Jimmy Carter cut back on President Ford's plans for a 550 ship Navy.

-- Jimmy Carter cancelled President Ford's plans for more military airlift capacity including a new air tanker.

A strong secretary of defense would have protested all of these actions, but not Secretary Brown.

(C) The "Peacemaker" - The Unilateral Cutbacks

And Americans ask why? Why did the Carter Administration eviscerate our nuclear and strategic readiness?

Thoroughly inexperienced in foreign affairs and defense matters when he came to Washington, Jimmy Carter did know a great deal about political image making - in this area at least he had the best advisors possible: pollster Patrick Caddell and PR man Gerald Rafshoon.

And the image of Jimmy Carter - "peacemaker" - appealed to the President, his pollster and PR man - they liked the idea of a President who could achieve a nuclear arms treaty with the Soviet Union.

But one vital lesson of the past six decades escaped the President, his pollster and PR man: the Soviets only come to the bargaining table when the other side has tremendous advantages of its own.

Jimmy Carter had promised in 1976 not to bargain away advantages to the Soviet Union. On April 7, 1976, he told the American people he would be a "tough negotiator with the Soviet Union", and on March 15, 1976, he said he would not be "afraid of hard bargaining with the Soviet Union."

That's what Jimmy Carter promised.

But what did Jimmy do?

Egged on by his pollster and PR man, Jimmy Carter engaged in all of those unilateral, crippling cutbacks of

President Ford's plans for the 80s.

Jimmy Carter permitted the Soviets to outspend us on strategic weapons by three to one.

A member of Mr. Carter's own party and one of the most distinguished experts on defense matters in the Senate, Senator Ernest Hollings, put it more bluntly than any Republican ever could:

"And yet while the Soviet Union has been building its military might at an unprecedented rate, what have we done in response?

"We cancelled the B-1 bomber, pushed aside the neutron bomb, stretched out the cruise missile, delayed deployment of the Trident far into the future, shut down the production line for the Minuteman II missile, and stood aside while thousands of our best military personnel have been driven out of uniform by inadequate pay and benefits."

By 1979, the damage done to our strategic forces was so great that even Jimmy Carter's commander of the Strategic Air Command said that we had fallen behind the Soviet Union.

"By today's measurements," ^{the SAC commander} ~~he~~ said, "an inverse strategic imbalance has developed and will continue for several years to come"

^{Not long} ~~ago~~ ^{ago} Jimmy Carter said that we are now stronger militarily than we were three years ago.

The American people can believe a politician seeking re-election - listening to the advice of his pollster and

the PR man - ^(where) ~~who~~ says we're strong militarily. ^{let}

Or the American people can believe the Commander of the Strategic Air Command and one of the Senate's ~~most~~ foremost experts on defense matters, ~~a member of Jimmy Carter's campaign~~

These men say Jimmy Carter is wrong. These men say we're behind. These men say the situation is getting more dangerous every day.

(D) Manpower, Spare Parts, Budget Magic and the Nimitz

During the 1976 campaign, Jimmy Carter didn't just promise us strategic strength; he also promised a "strong, able, tough, muscular, well-organized" conventional forces.

That's what Jimmy promised.

What did Jimmy do?

On ~~the~~ ^a This year, for the first time in memory ¹⁰ the Navy ship, the U.S.S. Canasteo, could not leave port and carry out its military mission because it was undermanned.

38 per cent of our fighting ships are in the lowest stages of military readiness because of similar manpower shortages, according to Admiral Heywood.

The Army is short 45,000 non-commissioned officers - the backbone of any fighting force - and re-enlistment rates are running only 22 per cent.

2,500 pilots, 1,000 engineers and 500 navigators are needed by the Air Force, traditionally the most stable service in the manpower area.

A Senate committee recently voted to reduce an already understrength Army by 25,000 men because of manpower shortages elsewhere.

The ready reserve is nearly 500,000 men short of its wartime needs and the selective reserve is almost 200,000 short of its wartime needs.

But a shortage of trained personnel is hardly the only problem ignored by the Carter administration: A recent staff study by a House subcommittee found:

-- two-thirds of our F-15 fighters were grounded due to lack of parts and maintenance at Langley Air Force Base;

-- three-fourths of our F-111B bombers were grounded for the same reason at Cannon Air Force Base;

-- fifty per cent of our F-14s were grounded - some for thirty days or more - while they were cannibalized for spare parts at Miramar, California;

-- only half of F-14s on the attack carrier U.S.S. Eisenhower were capable of combat during a recent wartime exercise;

-- and on a worldwide basis just over half of our first line fighters are operational.

Even more frightening statistics about the scarcity of spare parts and reserve equipment needed in a major conflict were made public in a recent letter by Congressman

Jack Edwards to Secretary of Defense Harold Brown.

-- Air Force fighters could stay in action for only two or three weeks, not the three or four months required;

-- only four out of our 12 aircraft carriers would be combat operational;

-- in the first weeks or possibly days of a major conflict, supplies of munitions such as air-to-air missiles would run out;

-- our major transport aircraft, because of its structural defects, could fly only a fraction of the time needed;

-- reserve supplies of aircraft, tanks and ships simply do not exist;

-- and it would take American industry two years or more to produce such supplies.

The horror stories about our military readiness under the Carter administration go on and on.

The Navy is losing more aircraft each year than it is replacing, our shipbuilding program will only support a 470-ship Navy - a figure that even the Carter administration admits is inadequate.

Numerous Army units are without modern weaponry and even the celebrated 82nd airborne division - supposedly the most prepared unit in the U. S. Army - is not rated fully operational.

The Air Force is flying a heavy bomber that was designed and produced nearly 30 years ago and even the well-known

C-130 tanker aircraft - which was used in the recent tragic attempt to free our Iranian hostages - was designed in 1951.

For years the Air Force has sought an expanded, longer range version of the plane. Only days before the tragedy at Desert One in Iran, the Carter administration turned down plans for such a new aircraft.

And once again Americans ask themselves how did it happen? Even in administration so interested in ~~mis~~^{vil}lifying the special interests by cutting into the defense budget, how could military salaries, spare parts, weapons procurement and maintenance be so dangerously underfunded?

You remember that not long after taking office, Jimmy Carter - the same Jimmy Carter who promised never to mislead the public - pledged to the American people and our NATO allies that his administration would boost defense expenditures - even after inflation - by three per cent.

That's what Jimmy promised.

But what did Jimmy do?

Jimmy Carter's three per cent rise in military spending was a paper increase ~~only because~~ it was based on inflation estimates absurdly below the real rate of inflation.

By May of 1979, ~~a study by a~~ ^{majority report} House budget ~~staff member~~ showed that Jimmy Carter's 1978 budget was five billion below the outlays needed for a three per cent increase. For 1979, the figure was seven billion below; and for 1980, nine billion below - for a total shortfall of 17.5 billion dollars over a three-year period.

Once again, Jimmy Carter wasn't keeping his promises - the picture improved only after programs authorized under President Ford became operational, and after the Carter administration was pressured into submitting supplemental budget requests.

But even these supplemental requests were dictated by politics - they were submitted only because the White House politicians knew that our military posture had to be improved before the U. S. Senate would pass the Salt II arms control agreement ^(the agreement) so important to the "peacemaker" image sought by the President, his pollster and PR man.

But even then the Carter administration continued its budgetary shell game with Congress. After the Soviet invasion of Afghanistan and ^(the 1980) the sad state of our military readiness leaked out to the public, Jimmy Carter sent Congress a dramatic new request for a 5.4 per cent real increase in authorized spending for 1981.

But Congress found that after inflation was taken into account, the Carter plan would result not in the promised five per cent increase, nor a four per cent increase, nor three per cent, ~~nor two per cent~~ but close to a ^{two} ~~one~~ per cent increase.

Even Democrats in Congress could by this time recognize snake oil when they saw it, and they hastily submitted proposals that would have boosted the defense budget by six billion dollars.

^{B+} In Jimmy Carter's budget - the one that sought to keep the liberal special interests happy - the money just wasn't there to keep the military strong.

So what happened? Jimmy Carter decided it was the military that would suffer and wrote to Congress, opposing the very appropriations bill that would have permitted him to keep his own solemn promise of a 5.4 per cent real increase in defense spending.

But in an election year, when the American people were increasingly concerned about the decay in our armed forces, such duplicity was ^(politically) dangerous.

So what ~~was the~~ solution ^{did} that the president, his pollster and his PR man came up with?

Why, of course, a media event.

The very week Jimmy Carter sent a message to Congress, opposing the defense appropriations bill, the U.S.S. Nimitz, returning from extended duty in the Iranian crisis, was ordered to hurry back in time for Memorial Day.

These were sailors who hadn't seen their loved ones for nearly nine months, ^{and} let me tell you about the compensation some of them received because of Carter administration policies.

An aircraft handler on a ship like the Nimitz, who takes care of a 25-million dollar warplane, can work 100 hours a week with no overtime and earn less per hour than a cashier at McDonalds. His family, like 19 per cent of all

military families, probably lives below the poverty level and qualifies for food stamps.

Or ~~take~~ a chief petty officer on the Nimitz ~~he~~ can work 60 or 70 hours a week in highly complex assignments doing the work of three, sometimes four men and earn roughly what a union janitor earns for the same number of hours.

But there was Jimmy Carter on Memorial Day - flashing the famous smile, waving to ^{the} cameras, posing as the sailors' best friend, telling the Nimitz crew members ^(~) some of whom earned less than a McDonalds' cashier or union janitor ~~and~~ ~~who~~ never had an overdraft or loan extension from Bert Lance's bank - that he would get them the very pay raises that he had opposed in Congress.

It was too much even for a member of Mr. Carter's own party.

And Senator Hollings, using a word that the Philadelphia Inquirer had once used about the Carter administration, ^{labelled} ~~called~~ it ~~the~~ out hypocrisy.

"To have the commander in chief go to the Nimitz and say, 'Whoopee, you're heroes, I'm going to increase your pay'," Senator Hollings said, "and then 48 hours later say, 'Whoopee' to community leaders is the height of hypocrisy."

"It's sad to see the President speaking out when he doesn't know what he is talking about.

"He doesn't want a balanced budget, he wants a campaign budget.

^(Senator Hollings)
"That's just outrageous deplorable conduct," ~~he~~ said.

IV FOREIGN POLICY(A) Andy Young Affair

When he ran for president, Jimmy Carter also promised the American people a consistent foreign policy, a foreign policy clear to our allies, clear to the world.

On Jan 24, 1976
 (Jimmy Carter criticized Henry Kissinger for being too independent - he attacked the idea of a lone ranger of American diplomacy and on July 17, 1976 he promised that in a Carter administration American foreign policy would have only one voice: that of the president.

He said he would be tough with the Soviets; he said the Soviet Union would have to learn that military adventurism in places like Africa would not be tolerated. On Dec 18, 1975 he said he even favored assistance to Angolan rebels fighting ~~the~~ pro-Soviet regime propped up by thousands of Castro's mercenaries.

That's what Jimmy promised.

But what did Jimmy do?

Now some of us here tonight remember the name of Andy Young. And let me assure our Democratic friends that in the weeks and months ahead that is a name they are going to hear again and again and again.

Even an administration capable of the political cynicism shown in the Nimitz incident or the Fitzgerald and Marston

affairs would be expected to show at least some caution in injecting cronyism into the delicate area of international diplomacy.

But Jimmy Carter showed no such caution -- even in conducting America's foreign policy.

The day Jimmy Carter appointed Andy Young ambassador to the United Nations, he said he was keeping his promise to bring only the best to American government.

"Of all the people I have ever known in public service," Jimmy Carter said, "Andy Young is the best."

Jimmy Carter said that Andy Young, his old Georgia political ally, was going to have the same status as the Secretary of State.

Jimmy Carter said his one fervent hope was that he, as President, could live up to the standards he knew Andy Young would establish as UN Ambassador.

"And his closeness to me personally", Jimmy Carter said about his new ambassador, "will ensure that there is never a division of a sense of purpose."

No division of a sense of purpose.

That's what Jimmy promised.

But what did Jimmy do?

Jimmy Carter gave the American people a UN ambassador who said only months after his appointment that Castro's mercenaries brought a "certain stability and order in Angola."

"I don't believe Cuba is in Africa because it was ordered there by the Russians," he said. "I believe Cuba

is in Africa because it really has shared in a sense of colonial oppression."

At an April 11, 1977, press conference, the new spokesman for America explained his own world view: "The only thing I'm thinking is, don't get paranoid about a few communists."

Even after Andy Young expressed views clearly at variance with American foreign policy, Jimmy Carter refused to rebuke his old friend from Georgia.

And the new lone ranger of American foreign policy flew into other clouds of dust: he announced that Abraham Lincoln and Gerald Ford were racists, that Sweden was racist, that England was "chicken" on the racial issue. He even insisted there could be no internal settlement in Rhodesia.

Even at the very moment when the State Department was trying to obtain the release of Soviet dissidents, he compared the Soviet system to our own, noting that there were thousands of political prisoners in this country too - announcing that he had once been a political prisoner when he was arrested in a demonstration, but then was later elected a Georgia Congressman.

"Things don't change that quickly in the Soviet Union," he said, "but they do change there also."

And although the Soviet press gleefully trumpeted these comments to the world - still Jimmy Carter issued only a mild rebuke to his ambassador.

That mild rebuke didn't slow down Andy Young.

Not long afterward he was calling the Ayotollah Khoumeni a "saint." He even defended the Ayotollah's firing squads in Iran, asking if they were any different from a death sentence given to a convicted murderer in Florida.

And then Andy Young went to a late night meeting with the Palestinian Liberation Organization - a terrorist group ~~known primarily~~ ^{distinguished} for its murders of Israeli school children.

Because Andy Young's meeting was in direct violation of his own government's guarantees to Egypt and Israel that there would be "no diplomatic contact" with the PLO, that meeting caused an international incident.

Andy Young had a simple solution to that. He simply denied the meeting ever took place - something our State Department told the world.

Then Andy Young said it was only a social meeting - something else our State Department told the world.

Then Andy Young admitted there had been a diplomatic exchange at the meeting - and then the State Department had to tell the world something else; that our UN Ambassador hadn't told the truth.

You remember that on December 12, 1974, Jimmy Carter said that if a cabinet officer ever told a lie he would be gone the next day?

That's what Jimmy promised.

But what did Jimmy do?

Even with the credibility of American foreign policy at stake, Jimmy Carter couldn't bring himself to fire his old Georgia political ally, Andy Young.

So finally Andy Young offered to resign and Jimmy Carter thanked him in relief and praised him for a "superb performance."

Superb performance?

The New York Times said it better than any Republican could when it spoke of Andy Young's "clumsy foolish diplomacy that led his government into a lie, violated its policy and broke its promises."

(B) Diplomatic Vaudeville?

But clumsy, foolish diplomacy was hardly the exception in ~~the Carter administration's~~ ^{the ~~Carter~~ administration's} make-shift, ramshackle foreign policy of the ~~Carter~~ ^{Carter} administration.

Andy Young went to midnight meetings with Palestinian terrorists, Ambassador Ali denounced his own State Department in Africa, Mr. Brezinski nearly got shot at the Pakistani border handing out aid packages that nobody wanted, Secretary Vance couldn't get our signals straight at the UN and Jimmy Carter said that a Soviet combat brigade was ~~positively~~ ^{we had} unacceptable in Cuba and ~~then~~ four days later said ~~he could~~

could learn to live with it.

Was this policymaking, or diplomatic vaudeville?

Even a member of Mr. Carter's own party - Senator Edward Kennedy - and Senator Kennedy isn't always wrong - put it more bluntly than any Republican could:

"Whether by incredible misjudgment, mismanagement or irresponsible action, the Carter administration has managed to jeopardize the security of Israel, damaged the peace negotiated in the Middle East, undermined our relations with other friends and made American foreign policy the laughing stock throughout the world."

(C) Inordinate Fear of Communism

Yes, Jimmy Carter's foreign policy has been marked by chaos - marked by chaos in every way except one: the unrelenting refusal to take seriously the Soviet Union's commitment to world expansion.

You remember Jimmy Carter promised during the 1976 election campaign to be firm with the Soviets, to make it clear to the Soviets that adventurism in Africa and all around the world would not be tolerated.

That's what Jimmy promised.

But what did Jimmy do?

The Carter administration stood aside as the Central Intelligence Agency was crippled by so many legislative

restrictions that its activities might just as well be performed by the Library of Congress;

The Carter administration proposed a Salt II Arms Treaty that guaranteed American strategic inferiority;

The Carter administration ~~ignored~~ ^(rejected for nearly a year) repeated warnings for ~~nearly a year~~ about Soviet designs on Afghanistan;

The Carter administration ignored warnings about danger to our Embassy in Teheran until there were 50 American hostages.

The Carter administration carried out a tragic rescue attempt in Iran that Senate staff studies are already showing was ill-timed and poorly planned.

And everywhere the Soviets moved to extend their influence, the Carter administration replied with vacillation and weakness.

In Africa, 50,000 Cuban mercenaries now prop up pro-Soviet regimes in Angola, Ethiopia and South Yemen while thousands more Soviet, East German and Warsaw bloc advisors increase their influence in Libya, the Congo, Algeria, and other nations.

In the Caribbean, Grenada, Nicaragua, Jamaica, and Guyana have ~~close~~ ^{established} ties with Castro's Cuba while El Salvador and Guatemala are now threatened by Castro trained revolutionaries. ~~and~~ ^I In Cuba itself, Soviet engineers construct a submarine base, Soviet pilots fly ~~Cuban~~ ^{Soviet advanced} fighter planes and an entire Soviet combat brigade maneuvers near Havana.

In Southeast Asia; the outlaw regime of Vietnam has opened its ports to the Russian Navy, invaded Cambodia, used poison gas in Laos, and stirred insurrection in Thailand.

In the Middle East; all that stands between thousands of Soviet troops and ^(use) oil fields ^(which provide) ~~that are~~ the lifeblood of the Western ^{economy} world is miles of desert.

Our alliances and relationships suffered one after another in the Carter administration:

-- The Carter administration did not even bother to consult Japan and South Korea when it announced troop withdrawals from the strategic Korean peninsula - a decision an embarrassed administration later withdrew.

-- The Carter administration let the West German Chancellor go out on a diplomatic limb to support the deployment of the neutron bomb and then cancelled ^{it} the deployment, leaving Chancellor Schmidt twisting slowly in the wind.

-- The Carter administration cruelly and arrogantly abrogated a long standing mutual defense pact with Taiwan, an old and trusted ally.

-- The Carter administration began its "Taiwanization" of Israel by undercutting, for the first time in our history, an Israeli position in the UN.

Is it any wonder that our allies now seek separate diplomatic arrangements with the Soviet Union?

And will Jimmy Carter send Andy Young to tell the boat people of Cuba or Cambodia or Vietnam not to ^{be} ~~get~~ paranoid

about a few communists?

Will Jimmy Carter himself instruct the people of Afghanistan about their inordinate fear of communism?

(D) Carter's Little Kissingers - The New Boy Network

And tonight as I speak, millions of Americans ask themselves how did it happen? How is it possible that so many blunders could follow one upon the other? How could Jimmy Carter's State Department be so naive about the Soviet Union's intentions? How could men with views such as Andy Young's rise to the top in our policymaking apparatus?

The answer to that question does not involve a conspiracy. But it does involve a phenomenon known only to a few in Washington - a phenomenon that carries the nicknames of "the New Boy Network", "the State Department Junior Varsity", and even "Carter's Little Kissingers."

You see, some years ago, a group of young, bright, super-educated foreign policy specialists began hoisting each other into one position of influence after another in Washington.

Living off tax dollars or grants from foundations, these specialists moved in and out of positions in the foreign service, congressional staffs, foundation think-tanks, and the political campaigns of candidates like George McGovern.

They started their own magazine, they reviewed each other's books, they praised each other's work the Senators, Congressmen, and diplomats.

And they made no secret of their world view: the arms race and international tension were not the result of Soviet expansionism - but just a tragedy of history for which the United States was also to blame.

They refused, these men, to believe that some governments - like some men - are evil and bent on total power. They refused to believe that the only restraint such governments understand is countervailing power.

So like the British elite of the late 30s - the diplomats and journalists who counseled restraint and appeasement in the face of Hitler - this group of specialists advised in the face of Soviet aggression that America show good faith, give ground, seek accommodation.

For men who so avidly sought positions of influence in Washington, Jimmy Carter's 1976 presidential campaign was a prime and obvious target - and when Jimmy Carter came to Washington, entirely inexperienced in foreign affairs, the new boy network went to work: the junior varsity took over - Carter's little Kissingers filled the State Department.

One State Department memo showed that of the 36 senior policy posts at the State Department, 22 were filled with political appointees - mostly from the new boy network - as compared to only 12 such appointees in the Republican administration.

The new boy network saw to it that the State Department infrastructure was entirely dominated by McGovernites and compulsive defeatists. Of the 53 names of foreign policy specialists sent to the Carter administration by the coalition for a Democratic Majority - a group headed by moderate men like Senator Patrick Moynihan and Senator Henry Jackson, who had a realistic view of Soviet intentions - only one was appointed and he received a token post.

The New Republic described the workings of the new boy network better than any Republican could:

"They write the memoranda, shade the briefings, bargain with bureaucrats, manipulate the varying doubts, prejudices, and ignorance of their superiors and in the process quietly shape much of the Carter administration's foreign policy and defense policy."

It was, the New Republic went on, "a group with little diversity" inhabiting a world "not of the innovator, the reflective or even the politician occasionally in touch with the grass roots" but a world rather of "the Washington hangers on."

Jimmy Carter appointed men like State Department Planning Chief, Anthony Lake, who helped orchestrate appointments that insured a rigid accommodationist line, or Africa specialist, Richard Moose, who couldn't get upset about Cuban mercenaries in Africa, or Professor Marshall Schulman who - obviously embarrassed after Afghanistan his long standing belief that the Soviets are "insecure" not

aggressive - began speaking hopefully about the Soviet "miscalculation" there.

But Jimmy Carter also had a problem after Afghanistan because he had so carefully listened to the advice given him by his accommodationist advisors.

Soviet aggression forced Jimmy Carter into a fast change of mind about the Soviet Union, and on ABC television he told newsman Frank Reynolds that the Afghanistan invasion had radically altered his view of Soviet intentions.

But Jimmy Carter did nothing about those who made a shambles of American foreign policy, who were so wrong in their estimates of Soviet intentions.

Do not mistake me: these policymakers are sincere and patriotic but they are also dangerously, desperately wrong about geopolitics - asking them to suddenly get tough with the Soviet Union is like asking hamburger to start rejecting the grinder.

Tonight I call on Jimmy Carter to show that his recent awakening to the threat of Soviet expansionism is real, not just a transient phenomenon.

I call upon Jimmy Carter to break up the new boy network, to fire the junior varsity, to send home all of Carter's little Kissingers.

But the resignations Jimmy Carter asks for in his administration should not just include the members of the

new boy network. There is at least one other Carter administration official who, if Jimmy Carter is serious about showing the world that he is no longer naive about communist aggression, should be asked to leave.

Sam Brown, the man Jimmy Carter named to head ACTION - a federal department which runs the Peace Corps - embraced at a UN reception in 1977 the representatives of North Vietnam, and told the delegation from this outlaw regime that their victory in the war was one of his proudest moments.

At the time Jimmy Carter uttered not a word of protest about words of praise for one of the most repressive regimes in the world - the tormentors of our POW's and of the Cambodian and Laotian people.

So tonight I call on Jimmy Carter to prove he has had a change of heart, to show that he is no longer harbors an inordinate fear of communism.

I call on Jimmy Carter to ask Sam Brown for his resignation.

And let me be clear - if Jimmy Carter will not fire Sam Brown - if Jimmy Carter will not break up the new boy network - believe me, I know a presidential candidate who will.

V MANAGING THE BUDGET AND THE BUREAUCRACY

(A) Bert Lance

But Jimmy Carter's most extravagant claim during the 1976 campaign concerned the economy and the size and cost of government.

Jimmy Carter promised in 1976 that he would hold down taxes and unemployment, and cut inflation by balancing the budget and reducing the cost of government.

On March 5, 1975, Jimmy Carter described the federal government as "just a great big horrible bureaucratic mess in Washington" and on August 4, 1975, he said he intended to abolish about 1,700 federal agencies and departments.

On May 15, 1976, Jimmy Carter repeated this promise, saying "We must abolish and consolidate hundreds of obsolete and unnecessary federal programs and agencies."

Jimmy Carter constantly talked about what he had done for the Georgia state government, he promised zero based budgeting in Washington, and he implicitly promised to put a top administrator at the head of the Office of Management and Budget; an administrator who could run this powerful department, ^{and} ~~who could~~ get a grip on federal spending ^{while} ~~and~~ harness the bureaucracy.

That's what Jimmy promised.

But what did Jimmy do?

Some of us here tonight remember the name of Bert Lance. And let me assure our Democratic friends that in the weeks and months ahead that is a name they are going to hear again and again and again.

When Jimmy Carter sent the name of Bert Lance - a man without experience in the federal government - to the Senate for confirmation as head of the Office of Management and Budget, ^(Lance's) ~~his~~ background as a financial wheeler-dealer had to be carefully covered up.

-- So according to testimony before a Senate committee Lance contacted the regional director in the Comptroller of the Currency's office and helped arranged a whitewash of his ~~own~~ ^(Lance's) record of ~~irregular activities~~ ^{irregular}.

-- The White House withheld an FBI report containing derogatory information about Lance's past from the Senate committee looking into his nomination.

After Lance was appointed - and the disclosures began about his banking past - the Comptroller of the Currency issued a 403-page preliminary report that found that Bert Lance had at the very least engaged in unsound banking practices.

And what was Jimmy Carter's reaction? Jimmy Carter who promised to admit his own mistakes, who promised a new standard of ethics, who promised an open government, a government as good as its people.

That's what Jimmy promised.

But what did Jimmy do?

At a press conference on August 18, 1977, Jimmy Carter said he read the entire 403-page report and it had convinced him that Bert Lance was a man of "complete integrity" in whom he had "complete confidence".

Jimmy Carter then turned to Bert Lance and shook his hand, saying "Bert, I'm proud of you."

What Jimmy Carter was saying was that Bert Lance was innocent because Jimmy Carter said he was innocent - it was too much for a member of Mr. Carter's own party, Senator William Proxmire, who called this defense of Bert Lance "an outrageous display of ignorance or arrogance."

After Jimmy Carter's press conference, Senate investigators found even more serious violations of the banking statutes and Senator Charles Percy and another member of Mr. Carter's own party, Senator Abraham Ribicoff, went to the White House and told the President he should ask for Lance's resignation.

For their trouble, the two Senators got a flat refusal from the President, and Senator Percy got a smear attack by Press Secretary Jody Powell for which Powell was later forced to apologize.

Even a few weeks later, Jimmy Carter was still defending Bert Lance -- he told a group of newspaper editors on September 16, 1977 that if his wife went out and bought a \$25 red dress and their checking account was overdrawn that was hardly a serious problem.

Except that Bert Lance's overdrafts weren't \$25 for Belle Lances' red dress - they were overdrafts of \$400,000 - interest free - from his own bank and unreported to other bank officers. Bert Lance had also used his bank's

relationship with ^(corrupt) ~~other~~ banks to shore up his own shaky financial empire. As early as 1971 Bert Lance had been personally warned by a federal bank examiner about these illegal acts - acts that violated statutes like the Financial Institutions Supervisory Act of 1966.

But Jimmy Carter couldn't part with Bert Lance any more than he could part with ^{his} ~~another~~ Georgia political ally, ~~was~~ Andy Young.

Finally, Bert Lance submitted his own resignation and just as ^(Jimmy Carter) ~~he~~ told Andy Young he had given a "superb performance." Jimmy Carter told Bert Lance that his "honor and integrity had been proven."

After his Justice Department began a lethargic investigation of Lance - the President continued to state his belief in Lance's innocence, ~~and~~ ^{and} The White House even assisted Bert Lance in traveling around the world on a diplomatic passport as the President's personal representative.

Obviously such acts by a president and his staff could have a chilling effect on any criminal investigation - but not a word of protest was heard from Charlie Kirbo's friend, Benjamin Civiletti, our non-political independent attorney general.

As the weeks and months passed - as the Justice Department lifted one leaden foot after another in pursuit of Bert Lance - it was learned that the Lance connection to Jimmy Carter was even closer than originally thought.

Bert Lance hadn't just been a friend and advisor and cabinet officer to Jimmy Carter in both ~~the~~ Georgia government and ~~the White House~~. ^{Washington.}

It was learned that when Jimmy Carter announced for president in 1974 - Bert Lance's bank had extended the Carter warehouse in Plains, Georgia, a \$3 million line of credit at reduced interest rates.

And at a crucial point in Jimmy Carter's campaign for the presidency, that line of credit was extended again at low interest rates to \$9 million.

Questions soon arose about whether some of the loans from Bert Lance's bank were used for campaign purposes - but once again the Justice Department refused to appoint a special prosecutor. Only after ~~some~~ prodding by Senator Howard Baker and William Safire of the New York Times did Benjamin Civiletti finally appoint a special counsel, ^{et al} and only after ^{et al} more prodding did Civiletti give the special counsel the powers of a special prosecutor.

Although the special counsel report found no campaign financing irregularities, the full report by the special counsel's office has never been made public.

^{And} A short time ago because of only two holdout jurors on a home state jury, the government failed to convict Bert Lance of criminal violations.

Usually in such cases, the government would ^{continue} ask for another trial - but this time the Justice Department said it wasn't going to bother Bert Lance any more.

You remember that Jimmy Carter promised an open government, a government that would set new ethical standards - you remember that famous line by Jimmy Carter that the big shot crooks would not go free in his administration?

That's what Jimmy promised.

But what did Jimmy do?

~~Jimmy Carter's~~ Justice Department has ^(never) ~~not~~ released the full text of the Curann report about his relationship with Bert Lance's bank and Gerald Rafshoon's advertising agency.

Tonight I call on Jimmy Carter to keep his promise of an open government and release that report.

~~Jimmy Carter's~~ Justice Department has also let ^{off} ~~off~~ Bert Lance, ~~off the hook~~.

I call on Jimmy Carter tonight to review and reverse that decision. I call on Jimmy Carter to keep his promise that the big shot crooks ^{will} ~~would~~ not go free.

(B) The deficit

The Lance case is important not just because it shows the White House scheming and foot dragging on behalf of Bert Lance long after the President and his staff should have terminated any relationship with him and assisted in bringing him to justice. It also shows how Jimmy Carter's penchant for cronyism placed a wheeler-dealer at the top of the Office of Management and Budget, the one federal agency that could control the budget deficits that Jimmy Carter promised to end.

Jimmy Carter pledged again and again in 1976 that he would get a grip on federal spending. At least four times in 1976, in

July, September, October and December, Jimmy Carter promised that his Administration would balance the budget.

That's what Jimmy promised.

But what did Jimmy do?

The Carter Administration is responsible -- not for a balanced budget -- but a budget deficit of at least 132 billion dollars -- an amount larger than all the deficits of the administrations of President Truman, Eisenhower, Kennedy, Johnson and the first term of President Nixon... all of those deficits put together.

This year's budget message was no different. Jimmy Carter told the American people last March: "I don't have any doubt that we will have a balanced budget in 1981."

But his own administration admitted a few weeks later that the deficit would run at least 20 billion.

(C) Waste and Fraud

Jimmy Carter didn't just promise to control the budget deficits, he also promised to streamline and completely re-organize the federal bureaucracy. He told people not to vote for him if they want waste and inefficiency cut out of government. On _____, Jimmy Carter said that he would be very reluctant to add any new programs to the federal bureaucracy.

That's what Jimmy Carter promised.

But what did Jimmy do?

Besides adding some 200 positions to the White House staff and attaching a highly political 8 billion job program to the labor department, Jimmy Carter also added two whole new cabinet size departments with authorized spending

of \$45.6 billion and 8,000 new employees.

One department, Energy, established a gas allocation program that was single-handedly responsible for all the gas lines strung across America two years ago. That is not Republican rhetoric, it is the conclusion of a GAO report and testimony by the department's former head, James Schlesinger.

The other department, Education -- a department which is increasing the power of the educational establishment, reducing the emphasis on basic learning skills and removing control of education even further from parents and local communities.

As Bartlett Gaimetti, the president of Yale said recently that this department "in no way speak to a concern for the quality of education in this country. And no politician has been so graceless as to pretend it does."

But the Carter Administration didn't just add to the spending and bureaucracy, it regularly ignored waste and mismanagement -- the very problem that Jimmy Carter promised he would do something about.

Jimmy Carter's own secretary of Health Education and Welfare, Joseph Califano, told a congressional committee that his department was losing at least \$7 billion a year to waste and fraud.

A report this spring by the HEW inspector general revealed HEW has only 50 fraud investigators chasing after that \$7 billion in wasted tax dollars.

A Government Accounting Office study recently showed that millions had been saved in health financing by putting GAO cost-cutting recommendations into operation. But the

study also disclosed that the Carter Administration had failed to save the taxpayers many more millions because it failed to implement more than half of GAO's 262 cost-cutting suggestions.

Under the Carter Administration at least 150 billion is handed out each year to private consultants another GAO study revealed. Two Democratic Congressmen have estimated that even elementary controls on this spending would save the public at least \$10 billion.

Under the Carter Administration the federal government also has the largest public relations and advertising budget in the world -- with scores of federal departments spending millions to boost their own image with public. A senate study showed that at least \$ _____ million is spent on movies, press aides, and publications -- a multi-million dollar proliferation of flics, flacks and fold-outs that couldn't be matched by all of Hollywood's hucksters.

One of the most astonishing activities tolerated by this Administration is the year-end spending sprees by federal departments. Another GAO study showed that HEW spent almost half of its total budget in the final two months of the year, and six other agencies spent more than 20% of their budgets in that period.

Two Democratic Congressmen have suggested that a few reforms here would save at least \$4.4 billion, a suggestion that the Carter Administration has paid little attention.

Since 1965 the food stamp program has grown from a \$35 million budget to \$9 billion under the Carter Administration. Congressman Eldon Rudd suggested recently that controlling fraud and restricting the program to the

truly needy would cut the cost of this program by at least 4.4 billion.

Buat at the White House, no one seems to be listening.

One enterprising researcher added up all the waste cited in separate GAO studies and found that the federal government was frittering away at least \$10 billion every year.

A 1979 study by the Joint Economic Committee estimated that fraud and abuses illustrated here accounts for at least \$5 to \$50 billion a year in the federal budget. The committee could not even begin to estimate how much is lost due to just plain mismanagement and waste.

And despite all the promises of the Carter Administration, the comptroller General reported last year that combatting waste and fraud are abysmally low priorities in the current Administration.

Not even Jimmy Carter's widely touted promise to put federal department on zero-based budgeting has worked. Peter Phyr, the originator of the idea, wrote to Bert Lance in 1977 and told him OMB's program of zero-based budgeting was so thoroughly confused that not even he could understand it.

Jimmy Carter didn't keep his pledge to balance the budget.

Jimmy Carter didn't keep his promise to cut waste in government.

After four years of Jimmy Carter, we have more departments, more bureaus, more federal employees, more paperwork, more waste and inefficiency.

(D) Inflation

You know, the other day Jimmy Carter warned the Republican Party not to engage in personal attacks, not to report to what he called "demagogic" speeches about his failures.

Now that does sound as if Jimmy Carter has spent a lot of time lately worrying about his Administration's vulnerabilities. But I'm sure Jimmy Carter has the best interests of the Republican Party at heart, so let's take his advice.

Let's look at how Jimmy Carter has handled the American economy; but let's keep rhetoric at a minimum; let's confine ourselves to what the statistics say about the problems of inflation, taxes and unemployment:

On June 9, 1980 no one talked about inflation more eloquently than Jimmy Carter when he said, "Inflation puts a cruel and heavy burden on those who can least protect themselves -- old people on fixed incomes, the very poor who must sometimes choose between a warm meal and a warm home, and for the young people who need jobs and careers with a future."

In an April 22, 1976 position paper on economics, Jimmy Carter promised his Administration would hold inflation below four and one half percent.

On August 31, 1976, "If I am elected, we will establish a comprehensive program to fight the many causes of inflation."

That's what Jimmy promised.

But what did Jimmy do?

-- Inflation went to an incredible 18.2% in 1980's

last quarter, up from the 4.8% rate when President Ford left office.

-- The average wage earner is buying 40% less with his pay check than he could when President Ford left office.

-- Productivity growth is one sixth of what it was when President Ford left office.

-- The Gross National Product's real growth is one fourth of what it was when President Ford left office.

-- The stock market average has dropped 19%, savings have dropped 41% and the prime interest rate has actually hit 20% since President Ford left office.

On January 4, 1980, Jimmy Carter said, "The increase in inflation is almost completely attributable to the rapid increase in OPEC oil prices imposed over our objection and over which we have no control."

"All of the increases for practical purposes have been directly attributed to increases in OPEC oil prices."

There was just one problem with that statement. It wasn't true.

Economists, including Albert Cos, the head analyst at one of Wall Street's most respected firms, estimated that OPEC oil hikes are responsible for only two (2) percent of inflationary increase.

(E) Taxes

Not only didn't Jimmy Carter keep his promises about cutting federal spending, balancing the budget and holding down inflation, he even violated his promise of no tax increases.

On March 7, 1976 Jimmy Carter said, "I would never do anything to hurt the middle American wage-earner."

"I would never increase taxes for the working people of our country and the lower and middle-income groups... and you can depend on that if I am elected."

That's what Jimmy promised.

But what did Jimmy do?

Jimmy Carter gave the average wage earner the highest peacetime tax increase in history when he pushed through the Congress a huge new social security tax.

The candidate who said he would never raise taxes also has proposed a 10 cents per gallon gasoline tax, a withholding tax on interest and dividend earnings and another withholding tax on the earnings of independent contractors.

Once again, rhetoric from Republicans is hardly necessary, the statistics say it all about Jimmy Carter's four years:

-- Tax receipts escalated by 132 billion dollars over the largest single year increase in history.

-- The tax bite takes more of the Gross National Product than it did at the height of World War II.

-- The average wage earner pays one fifth of what he earns to the federal government.

-- Every dollar that the average worker earned this year from January 1st to May 11th went to federal, state or local taxes.

You may also remember that Jimmy Carter made one other promise about taxes in 1976. On _____, Jimmy Carter promised a sweeping reform of the tax code which he called "a disgrace to the human race".

That's what Jimmy promised.

But what did Jimmy do?

Except for eliminating a few income tax reductions --

which only meant the average wage earner paid more in taxes --
Jimmy Carter did not carry out a single major tax reform.

(E) Unemployment

But if American wage earners are struggling tonight
because of inflation and tax increases, struggling to provide
for their families and to hold onto their savings, many
millions face an even darker menace...UNEMPLOYMENT.

No one spoke more bravely about stopping unemployment
than Jimmy Carter did in 1976.

And no one promised more!

On April 8, 1976 Jimmy Carter said that "we've got to
have the major emphasis on jobs...that would be the major
thrust of my administration."

In his 1976 economic position paper, Jimmy Carter said,
"I am committed to a dramatic reduction in unemployment
without reviving double digit inflation..."

On March 7, 1976 he said "a government which cannot insure
for its citizens an opportunity to work does not deserve
their support."

On June 16, 1976 he said "the top priority of his administration
above all other domestic issues is employment.

In the October 6th, 1976 issue of Newsweek he said,
he expected his administration to hold unemployment to
between four and four and one half percent.

That's what Jimmy promised.

But what did Jimmy do?

By April of this year, the unemployment rate was running

near 8% -- in the first four months of this year alone, 1.2 million people lost their jobs.

But Jimmy Carter made another promise about unemployment during the 1976 election campaign. He said that he would never use unemployment, that he would never throw people out of jobs in order to slow down the economy and reduce inflation.

That's what Jimmy promised.

But what did Jimmy do? .

Vice President Mondale put it bluntly the other day -- better than any Republican could when he described how the Administration is using unemployment to reduce inflation.

"We think what we've been doing now will be using unemployment for awhile. We know that. But the shallower the recession, the less we will suffer on those terms."

VI REASONS FOR FAILURE -- CREDIBILITY, CRONYISM AND COSMETICS

(A) Cosmetics

The record is there: after four years of Jimmy Carter the integrity of the Justice Department is compromised, the national defense is in jeopardy, American foreign policy is non-existent, the economy is in chaos and rising inflation, taxes and unemployment are overwhelming the American people.

This is not just a record of failure. It is a litany of disasters.

And Americans ask why. What could account for an administration so inept in its performance and callous about its promises?

How could Jimmy Carter blandly tell the American people only a few weeks ago that under his leadership the nation's problems are now more manageable?

You remember that this is the 1976 political candidate who said he would never tell a lie. This is the political candidate who said that as president he would always be willing to admit his mistakes.

That's what Jimmy promised.

But what did Jimmy do?

When Jimmy Carter was in trouble with the voters over inflation, he told a nationwide television audience it was the oil sheiks, not the Carter administration that was at fault.

When Jimmy Carter was in trouble with the voters over decay in our armed forces, an aircraft carrier was hurried home for a Memorial Day media event. When Jimmy Carter was in trouble with

the voters over an inept foreign policy, he called reporters to his office at 7:30 on the morning of the Wisconsin primary and announced a breakthrough in the Iranian hostage crisis -- only after the votes were counted did the voters learn that they had been misled again: there was no breakthrough.

When Jimmy Carter was in trouble with the voters over breaking his promise to debate Senator Kennedy, his staff deliberately leaked a memo to the press that a recent Washington Post story ^{was} fabricated to show the President was basing the decision not on politics but on the national interest.

So the pattern is clear: Jimmy Carter's reaction to problems is not sound analysis or speedy action. Jimmy Carter's reaction is political maneuvering, media hype and TV cosmetics.

When it was learned that David Gartner, a Carter appointee to the Commodity Futures Trading Commission, had received a \$72,000 gift from a commodity firm executive, Jimmy Carter first stood behind Gartner's appointment, then called for his resignation, then failed to force Gartner to resign.

Jimmy Carter looked very bad in this incident, and what was the White House's solution? Was the President advised to act in a manner more consistent with his campaign pledges about ethics in government? Was the President to behave with more firmness towards his own appointees?

Not at all, the White House analysis was simple:

this problem, like all problems, was one of style not substance; the solution was easy: Gerald Rafshoon, the President's PR man, was summoned from Georgia and made an assistant at the White House.

When Jimmy Carter was slipping in the opinion polls for being indecisive and he was forced at the last moment to cancel his speech on his energy policy, the White House handled the problem according to its usual script: a week of media events at Camp David, community leaders flown in and out, Jimmy Carter on nationwide television giving his famous "malaise" speech. Columnist George Will said recently the message of the speech was simple: "I'm unpopular, so you're sick".

Right after that came the celebrated cabinet shake-up -- another media event constructed so that Jimmy Carter would appear decisive by firing those members of the cabinet who had not gotten along with his White House staff.

Even a member of Mr. Carter's own party, liberal historian and pundit Arthur Schlesinger, called the shake-up "ludicrous" and said it was likely to increase "the sense of chaos" already existing in the Administration.

Two time Pulitzer prize winning journalist Clark Mollenhoff put it more succinctly than any Republican spokesman could when he said the shake-up left the impression that "survival was linked with obedience to White House dictates and ability to get along with Hamilton Jordan and other Georgians".

(B) Cronyism

Americans also ask themselves about this crony connection in the Carter Administration. They ask why Jimmy Carter permitted Georgia political allies like Griffin Bell, Andy Young, Bert Lance and Charlie Kirbo to repeatedly embarrass his administration but refused to tolerate less independence from cabinet offices and White House aides like Michael Blumenthal, Joseph Califano, Brock Adams, Bella Abzug and Midge Costanza.

Miss Costanza's dismissal was a classic: she fell from favor with the Georgia politicians when she dared to recommend what everybody else in America wanted: Bert Lance's resignation.

Or the Dr. Peter Bourne incident. After the Washington Post revealed that Bourne had filled out phony drug prescriptions for White House staff members, the White House refused to fire Bourne, an old Georgia friend of the President's. When he finally resigned, the White House merely repeated Bourne's preposterous explanation for his actions.

Another little known example of Carter's cronyism is Hamilton Jordan's virtual destruction of the post of White House ombudsman. When he took the job, Joseph Arago expected to report to the President about complaints of mismanagement and corruption. Hamilton Jordan soon saw to it that the scope of Aragon's inquiries was sharply limited. Jordan even managed to load Aragon down with political duties.

Even in the critical area of energy policy the Carter Administration chose not an expert as a Cabinet officer but a former Coca Cola executive from Atlanta, Georgia whose first act was the creation of \$50,112 a year post for another Carter crony for Georgia.

Loyalty not competence is the watchword at the Carter White House.

(C) Credibility

Now obviously cosmetics and cronyism of this sort are not consistent with Jimmy Carter's campaign pledge to bring the best to government.

And it is this final problem of credibility that is the third and critical reason for the Carter Administration's failures.

If we are going to understand why the Carter Administration has had such a struggle with its creditility, we must go back a few years and see what's on the record about the credibility of Jimmy Carter himself.

Georgia legislator Julian Bond said that Jimmy Carter asked him in 1972 to approach George McGovern with a request that Jimmy Carter run as his Vice Presidential nominee.

Jimmy Carter didn't say this was just a misunderstanding; Jimmy Carter said this was flat out untrue.

Julian Bond responded in the Atlanta Constitution on April 3, 1976, "I don't like being called a liar particularly by a man who cannot tell a lie".

The next day, Julian Bond told another newspaper, about

Jimmy Carter's claims that he wasn't telling the truth, "I call him back a liar, a prevaricator, an evader and equivator and a man who doesn't merit the attention of black voters around the U.S.".

During his campaign for the Presidency in 1976, Robert Schrum, a Jimmy Carter speechwriter, resigned from ~~his~~^{the} campaign in disgust. Schrum said he was quitting because Jimmy Carter had been saying two things at once about his plans for cutting defense spending.

In the May 16, 1976 issue of The State, he described Jimmy Carter as "manipulative and deceitful."

"He lies and doesn't believe he isn't telling the truth. It's just a constant and pervasive thing".

Another aide to Jimmy Carter, James Fallows, the chief of White House speechwriting, resigned from the Carter Administration with an intriguing story about tennis court assignments at the White House. Fallows said that when Jimmy Carter denied to television interviewer Bill Moyers that he ever stooped to such lowly details as deciding who would use the White House tennis courts, Jimmy Carter wasn't telling the truth. James Fallows said he knew: he was the White House aide who brought the tennis court assignment sheet to the President and watched him fill it out.

A minor matter , the tennis court incident, but the credibility problem extends far beyond:

-- Jimmy Carter repeated untrue allegations about David Marston and was deceptive about his own role in that sad affair.

-- Jimmy Carter blamed inflation on OPEC oil increases

-- Jimmy Carter said that we are stronger militarily today than four years ago; an assessment contradicted by his own commander of the Strategic Air Command.

-- Jimmy Carter said that "we have turned the corner" on the economy and "no working man or woman can find fault with our policies" while peacetime inflation, taxes and unemployment reached record highs.

-- Jimmy Carter went to the Nimitz and posed as the sailors' best friend, promising pay raises that he opposed in Congress.

-- Jimmy Carter told ABC newsman Frank Reynolds that the invasion of Afghanistan had changed his whole perception of Soviet intentions. When Meg Greenfield of the Washington Post recently confronted Jimmy Carter with this statement, he told her to check her notes -- he claimed he had never said that at all.

-- Jimmy Carter said on Feb. 14, 1980, "I want the world to know that I am not going to resume business as usual as a partisan campaigner out on the campaign trail until our hostages are back here -- free and at home".

Jimmy Carter also said on March 29, 1980, "What I've said is that as long as hostages are there that I would not participate as a candidate in the primary season."

The hostages aren't home but Jimmy Carter is back campaigning.

-- Jimmy Carter praised Andy Young for a "superb performance", praised Griffin Bell for "absolute integrity" insisted that Bert Lance was entirely innocent.

What I'm suggesting is simple. It's not just the Carter Administration, it's Jimmy Carter himself who has

the credibility problem.

V1 THE PRESS

The distinguished Yale historian C. Vann Woodward said recently that the Carter Administration's record would probably put it "among the frontrunners" of disreputable administrations in American history.

A reflection like that by one of America's most distinguished historians prompts the question of why so few reporters and pundits have had similar thoughts.

Do not mistake me. The press has done an excellent job of reporting each contradiction, and many of the false claims made by the Carter Administration. But it has never really put the whole picture together.

Perhaps the members of the media are tired from their Watergate exertions. Perhaps they are a little shy about criticizing an Administration that makes such display of its own righteousness.

Whatever the reason, I think the Nimitz and Wisconsin incidents and the phony White House memo suggests that this Administration has been using the press.

I wonder if the members of the press shouldn't resent such manipulation. I wonder if the members of the press shouldn't start asking themselves whether duplicity is becoming the hallmark of the Carter Administration.

V11 The Campaign Ahead

(A) Personal attacks

The campaign that is approaching will in great measure

be a referendum by the American people on Jimmy Carter's record in office.

Jimmy Carter, his pollster and PR man know that his reelection chances will not survive such an event. Their plan then will be simple: distract the people from the Carter record -- attack, attack, attack.

There are indications from the past what kind of attacks these will be.

-- During the 1976 campaign, Jimmy Carter accused Senator Henry Jackson of "exploiting the racial issue" of a "warlike attitude" and "deliberately telling falsehoods" about his own record.

-- Jimmy Carter also personally attacked Hubert Humphrey as a loser and too old for the Presidency.

-- Jimmy Carter engaged in a personal attack on President Johnson, calling him a liar.

-- Jimmy Carter personally attacked President Ford, calling him "weak and tired" and suggesting on May 1, 1976, "anything you don't like about Washington I suggest you blame on him."

-- Jimmy Carter has called Senator Kennedy a "demagogue" and even, according to NBC news report, impugned his patriotism by suggesting his candidacy was damaging the country.

About this record of personal attacks on opponents. I can say two things. One, we expect plenty of the same this year. Two, we will never, never adopt similar tactics.

(B) Abusing the Incumbency

Shortly after, Mayor Jane Byrne of Chicago endorsed Edward Kennedy for the Presidency Democratic nomination this year. Secretary of Transportation Goldschmidt said that in the future Mayor Byrne might have trouble getting her calls answered at his department or her requests for federal funds approved.

This is only one example of the continuing abuse by the Carter Administration of the executive branch and the office of the president for crass political purposes.

In the weeks ahead, we intend to point out, detail by detail, how federal grants have been used in this year's campaign to bolster the Carter campaign. We intend to monitor the White House's performance -- from phone calls to newsletters -- and report to the American people on how their tax dollars are being misused by politicians.

Reagan Aides Seek Way To Defeat Any 'Surprise'

By NOWELL RAINES
Special to The New York Times

NEW HAVEN, Oct. 6 — Ronald Reagan has often warned that President Carter would try to win the election with an "October surprise," and concern over that possibility has mounted to the point that the Reagan campaign has formed a "working group" to try to predict what dramatic foreign policy breakthrough Mr. Carter might attempt.

The group was formed because key Reagan strategists believe the Carter Administration's No. 1 political goal now is to create a situation in which the President can dispel public questions about his leadership ability, preferably by getting at least a few of the American hostages in Iran back home before the Nov. 4 election.

In any case, the Reagan campaign officials are preparing for some kind of dramatic action from Mr. Carter within the next two weeks, as they say he must act quickly to get maximum political benefit.

For that reason, the working group of 10 foreign policy specialists will begin holding daily meetings by midweek, under the supervision of Richard V. Allen, Mr. Reagan's chief foreign policy adviser.

Guessing Possible Moves

Much of the group's activity is to be devoted to what one Reagan aide called "war gaming," the guessing of possible Carter moves and the formulation of countermoves to preserve Mr. Reagan's current lead in the polls.

The formation of the working group is half of a dual defense against an "October surprise" that is viewed in the Reagan camp as perhaps the major pitfall remaining for the Republican Presidential nominee. The other element of that defense is to continue talking about the anticipated Carter move so that, when and

if it comes, it will be interpreted by the public as cynical opportunism rather than careful statemanship.

Mr. Reagan's attack on the President's character continued in another vein today as well. At a rally in a shopping mall in Cherry Hills, N.J., Mr. Reagan accused Mr. Carter of manipulating "official Government statistics to sugarcoat the bitter pill" of current economic news. He was referring to a change in the method of computing the Producer Price Index that, Mr. Reagan said, gave the false impression that the economy was improving.

In trying to anticipate the surprise moves available to Mr. Carter, members of the working group have suggested two possibilities in Iran. One involves a coup that would allow the Carter Administration to offer extensive aid to a new Iranian Government in exchange for the hostages. The second is the possibility that the Carter Administration, through military action or diplomatic means, could effect the release of enough hostages, perhaps four or five, to convince the electorate that progress was being made.

Move in Caribbean Weighed

At one point, according to staff sources, there was also some study of what Mr. Carter might do in the way of "a Western Hemisphere surprise," perhaps aimed to correct the impression that he had been outmaneuvered by Fidel Castro in the Cuban immigrant situation. The group also considered the possibility that Mr. Carter might take advantage of political unrest in countries such as Jamaica or El Salvador to make a show of American force.

"We have to be prepared from a substantive point of view for any eventuality," said a senior Reagan adviser. The goal of such planning, he continued, was twofold. First, it must assure that Mr. Reagan is not caught flat-footed by foreign developments and that his initial responses are measured and reflect a concern for the national interest. Second, there must be an effort to find political opportunities for Mr. Reagan in any Carter initiative.

There seems to be a consensus among Mr. Reagan's main advisers that the Carter campaign is now under increasing time pressure. Their view is that the political risks of trying a major initiative two weeks or less before the election are too great, and that therefore the Reagan campaign should be prepared for a surprise in the next 10 to 14 days.

"They've got a narrow window of opportunity for an October surprise," said Richard Wirthlin, Mr. Reagan's pollster and main strategist. "I'm convinced they'll try something probably in the area of foreign affairs. But if it comes after Oct. 20 or 25, it will be taken by the voters as cynical manipulation. They've got to do something within the next two weeks."

x x x

Note / Johnny Grant called - I'm sure you know him from MC work, EMPC and Gene Autry. He is a BG in the California Guard and had some information that 34 or 36 C-130 have been moved to Tinker Air Force Base (Oklahoma) where the spare parts are. He is double checking this, I'm doing the same and will see if our people can come up with anything - just for our information.

x x x

1487

Reagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 682-3400

24 October 1980

R-193

TO SNOW A.
Pm
CONFIDENTIAL

MEMORANDUM FOR:

BILL CASEY
DEPUTY DIRECTORS
JIM BAKER
ED GRAY
RICHARD ALLEN
TONY DOLAN
STEP HALPER
RICH WILLIAMSON

FROM:

ED MEESE

SUBJECT:

Special Assignment

Effective immediately Bob Garrick is assigned a special responsibility for coordinating Campaign Headquarters activities relating to our response to the hostage situation. He can be reached at extension 3701 and will be available at all times either through his office or through the Operations Center (extension 3720).

Upon any change in situation, Bob will notify all of the above addressees so that we can keep key members of the staff advised of the situation at all times. Therefore, it would be appreciated if you will keep the Operations Center notified of your location at all times that you are not in the Headquarters.

1488

Reagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

File

D-194

24 October 1980

TO SPAN A
W

MEMORANDUM FOR: POLICY DEVELOPMENT & RESEARCH DIVISION
FROM: ED MEESE
SUBJECT: Temporary Assignments

During the next several days, Bob Garrick will be working on a special project for me. Jim Brady is, therefore, assigned as acting Director of Policy Development and Research and will carry out all of the functions normally handled by Bob.

Bob Garrick can continue to be reached at extension 3701. Jim's phone number is extension 3718. This arrangement will continue until further notice.

Please advise the members of your section concerning these assignments.

cc: Darrell Trent
Martin Anderson
Ed Gray
Richard Allen
Ken Khachigian
Stef Halper
Tony Dolan
Bill Gavin
John McClaughery
Operations Center
Answer Desk

CONFIDENTIAL

P-259

To: Ed Meece
From: Bob Gray

1. As we reach for contingency plans re hostages we should keep in mind our ability to sow a story or start news trends by non-attributed comments to newsmen. If we leak to news sources our knowledge of the Carter-planned events, spelling out what Carter will do to make a media event of the release-phased return to the states, a White House event, ticker parade, possible use of Mondale, etc., we can get the press say Carter is politicizing the issue, following his media plan, etc..
2. In contrast to our famous anonymous Reagan aide quoted in Lou Cannon this morning, we should be saying the hostage resolution will not be making any difference in the vote, does not change the overriding issues of the campaign, etc..
3. After the Governor joins in the rejoicing "that our long wait for resolution of this issue is finally over" we should be taking the approach "we cannot allow this happy moment to divert us from our mission to tell the American public about the Carter record, etc.."
4. After the hostage return the Governor should "recognize I now have an even heavier responsibility to redouble my efforts to spotlight the Carter record. If I do not the voters might--in a momentary happiness--make a decision they would regret for another four years"

RW HARD V ALLEN

SENSITIVE AND CONFIDENTIAL

October 15, 1980

MEMORANDUM FOR GOVERNOR REAGAN
BILL CASEY
ED MEESE
DICK WIRTHLIN

FROM: DICK ALLEN 

This morning at 10:40 I had a call from an unimpeachable source who has received information directly from ABC XYZ.

ABC XYZ has said that the last week of October is the likely time for the hostages to be released. He further told the source that this could come "at any moment, as a bolt out of the blue." To his certain knowledge, "the Iranians want to liquidate the crisis," and do not feel that they must wait for any "particular initiative from the United States."

Bani Sadr has been strengthened in recent weeks, particularly as a result of the conduct of the war. ABC XYZ called the sources attention to the story printed in today's New York Times on page A-14 ("Iranians Said to Want Captives Free") in which Bani Sadr is quoted directly as wanting "to send the hostages home immediately, thus erasing what he regards as the biggest single blot on the record of Islamic Iran."

Regarding the matter of spare parts in exchange for the hostages, ABC XYZ indicated that the Administration had declared publicly and privately that if the hostage matter could be resolved, "we are prepared to listen to any type of relationship they may want, ranging from economic aid to the sale of military spares." He added however, that there was no question of selling the spares prior to the release of the hostages.

The source asked him if Iran is able to get spares clandestinely, and ABC XYZ responded that a limited amount of equipment is available on the open market including "shock absorbers, batteries, pressure gages, vacuum gages and other flight instruments, all the way up to parts for F-4 Phantom jets." However, there are "no significant quantities available," which ABC XYZ indicates would mean that there are "not enough to affect the outcome of the war."

When asked about the prospect for resolution of the hostage crisis, ABC XYZ said that "more and more speeches are coming out of Iran that Iran is being held hostage by this whole crisis, and not the hostages themselves." In other words, he indicated that the Administration feels that some sort of "reality" is creeping into the Iranian leadership at

SENSITIVE AND CONFIDENTIAL

1491

this point." When asked by the source whether the source should prepare to cover the prospect of release on a daily basis, ABC XYZ said, "No, you are probably safe for this week and maybe even next week. Surprises could happen at the end of the month."

This is main-line information. We are preparing to assess it, and will attempt to keep you posted on a moment's notice of any changes. We will have to be quite attentive to the "bolt out of the blue" aspect.

SENSITIVE AND CONFIDENTIAL

TO: Gov. Reagan
 From: Dick Allen
 15 Oct. 1:30 p.m.
 EDT
David Gann

Russians keep their fingers crossed for Carter

BY OUR MOSCOW CORRESPONDENT

THREE WEEKS before the U.S. election the Russians are hoping against hope that Jimmy Carter, the man they have called vacillating, unreliable and anti-Soviet, will become the next U.S. President.

Their opinion has not been reached without considerable headscratching. Mr. Carter's actions in human rights, trade, SALT II and Afghanistan have bewildered and angered them. But, in the end, the "cold warrior" image of Mr. Ronald Reagan, the Republican challenger, has persuaded them it would be wiser to have the devil they know back in the White House.

What has tipped the balance in the official Soviet mind — in other words, the man in the street — has little real interest in or information about the U.S. election — is the SALT treaty. The Kremlin considers this the lynchpin of its long-term relations with Washington, more

by contrast, clearly alarms Soviet leaders by his intention to revise the treaty substantially. At the very least. This dislike of Mr. Reagan betrays some of the earlier conventional wisdom which held that the Russians would much prefer to deal with a man of firm views however hawkish they might be.

The natural Russian distaste for dealing with the new and unknown has been exacerbated by the fact that none of his aides have been to recognize the Soviet Union and make contact before polling day, as had been customary with U.S. presidential hopefuls.

Soviet officials, who were treated to visits by Senator Edward Kennedy and Senator Howard Baker when their presidential hopes were still high, add this to the list of Mr. Reagan's disturbing qualities.

Paradoxically, it is also obvious that Senator John Anderson, the Independent

candidate, would be an attractive President for the Russians in some respects.

Although the Soviet Union has concluded that Mr. Carter represents a fundamental change that has taken place in U.S. policy, and that after he is elected he will continue to confront the USSR.

believes that Mr. Carter is a better evil, hopes he will be re-elected, and thinks SALT I now.

will finally escape through so that the economic hardships of a new arm race can be avoided.

The other thing Mr. Reagan represents is a fundamental change that has taken place in U.S. policy, and that after he is elected he will continue to confront the USSR.

believes that Mr. Carter is a better evil, hopes he will be re-elected, and thinks SALT I now.



important than Afghanistan, tensions in Europe, or grain and high-technology sales.

They want Mr. Carter to win because despite his postponement of Senate consideration of SALT II, he remains committed to it, and represents a chance for its ratification in 1981.

The ex-Governor of California, more

15 Oct 80

- 1035 John Wallach → lost at Oct. - hostages and
Mushie.
- Any moment : bolt out of blue
 - Iran and beyond crisis - no particular anti-
Israel
 - Saudi Sadr - strengthened
 - [TIMES] - London Telligence → among, Iranian
 - If Iran in defeat, Shrop caught to rel. hostage
 - Spies = but Iran - if pers. look with
we are prepared to take for any type
of rel. they want, Cor. or mid Spies
 - No question of Spies first -
 - Is Iran getting Spies Clarke? -
Shah. Nelson, per. Spies, also
parts for Iran. Iran
No Sp. quantities → not enough to
afflict outcome.
 - What is prospect of resolution?
 - There is more Spies going out of Iran
that Iran is being held hostage, and hostage
 - Safe this week & post-week, Conference
could happen at end of month

By John P. Wallach
Herald Examiner
foreign affairs editor

WASHINGTON — The Carter administration's subtle behind-the-scenes tilting toward Iran in its war with Iraq has provided the best opportunity to win freedom for the 52 American hostages, who could be released within the next three weeks.

That is the privately held judgment of State Department officials who believe that Iranian leaders now have concluded they and not the 52 Americans are the ones being held hostage and therefore the captives should be freed as soon as possible.

The officials explained that the war with Iraq has achieved four things:

- Strengthened President Abolhassan Bani-Sadr's position within the ruling hierarchy.

- Brought home Iran's desperate need for American military spare parts.

- Emphasized the isolation that Iran faces in the Moslem world.

- Forced Iran to recognize that the Soviet bloc, although mouthing words of friendship and support, is in fact arming Iraq to the teeth.

(Most of the Soviet supplies are flowing through Aqaba, Jordan's Red Sea port where as many as 40 communist bloc freighters have been seen to unload in one day. The Soviet arms are then transshipped by truck across Jordan.)

There were a number of developments yesterday that seemed to indicate a hostage deal may be in the works.

- In Windsor Locks, Conn., yesterday, President Carter said he's willing to meet with Iranian Prime Minister Mohammad Ali Rajai to discuss the fate of the hostages "if he should be amenable." But Carter was quick to add that there is "no imminent" prospect of the hostages' release.

Rajai arrived in New York early this morning to participate in U.N. deliberations on the subject of Iran's war with Iraq. Police at Kennedy International Airport reported the small group of men aboard the plane were driven away in automobiles.

Carter attended a charity banquet in New York City last night, but returned to Washington before the Iranian plane arrived.

When reporters asked Carter about a meeting between him and Rajai, he said, "There's always a potential. We have not made any

Hostages

Continued from page A-1

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10/8/80



arrangements to meet with Mr. Rajai, but if he should be amenable to a meeting we would certainly continue to follow our practice of meeting with any Iranian official who had a possibility of speaking authoritatively for their government."

Carter said a meeting with Rajai might include "myself or (Secretary of State) Ed Muskie or (Deputy Secretary of State) Warren Christopher or whoever."

Asked whether Rajai had expressed any interest in such a meeting, the president said, "I don't know whether he has or not, nor do I have any information that he has."

Later, White House press secretary Jody Powell told reporters that Carter wanted to add that "I see no real possibility" of a meeting involving the Iranian leader.

Earlier yesterday, Muskie said "the door is open" to negotiations with Iran over the American hostages. But he denied any discussion is under way or deal is in the works.

"There is no such proposal at all," Muskie said about reports the Carter administration is prepared to trade military spare parts for release of the captives.

But Muskie, in talking with reporters, said if the hostages were returned, the United States would automatically lift the economic sanctions imposed after the Americans were taken captive. And, he said, "I would assume that if sanctions were lifted, their effect would not be neutral because it would enable Iran to reduce its isolation and perhaps have access to parts that it would not otherwise have access to."

State Department spokesman John Trattner said yesterday that any meeting with Rajai would not be publicly announced.

In order to get these issues between our two countries settled,

it will be essential to do them privately and confidentially," he said. "We will not be able to discuss any such future meetings with you."

The Carter administration has quietly freed numerous spare parts for shipment to Iran through friendly third countries, such as South Korea and Israel, which have permitted private arms dealers (many of whom are based in London) to make purchases known to be destined for the government of the Ayatollah Ruhollah Khomeini.

This enables such nations to deny that they have any official arms relationship with Iran while at the same time allowing the Iranian army to get the spares it needs to fight the Iraqis.

State Department officials confirmed that Iran has been receiving a "substantial number of things of this kind on the open market, even up to and including spares for the (American) Phantoms," the supersonic jets that are the mainstay of Iran's attack.

The spares also include such things as shock absorbers, fuel gauges, pressure gauges and heavy duty batteries.

Meanwhile, the State Department is carefully keeping to its official policy line that while "there are a number of things that can be procured in small quantities," there is no direct American involvement and "there are no significant quantities" of American war materiel going to Iran.

Asked to define "significant," one senior administration policymaker said, "We define it as a volume significant enough to affect the outcome of the fighting."

Carter and National Security Adviser Zbigniew Brzezinski have

made a number of conciliatory statements in the last 48 hours timed to coincide with Rajai's arrival in Chicago. Carter, for example, in two town meeting appearances this week explicitly called Iraq "an invading nation" and said the United States opposes settlement of disputes "by aggression."

In Chicago, WLS-TV reported yesterday that the American hostages have been returned to the U.S. Embassy in Tehran in preparation for a trip home for all but four of them as part of an arms deal with Iran. A State Department spokesman called the report "totally false" but the station stood by its story.

"We may be wrong in some detail — we have said that on the air. But we will stand by the basis of the report. We feel a deal is in the works," said Tom Kuelbs, news director of WLS.

Trattner also denied other aspects of the telecast, including a report that Carter's jet, Air Force

One, has been placed on standby to carry him to an Air Force base on the East Coast to meet with the hostages on their return to this country.

Last night the station said one unconfirmed report "making the rounds" at the State Department is that all but four of the hostages would be released and that the four not freed would "remain for trial."

The station also repeated elements of an exclusive story broadcast Wednesday night which said negotiations were under way in Tehran for release of the 52 hostages in exchange for five plane loads of military spare parts.

Pentagon spokesman Thomas Ross said, "The report involving aircraft loaded with spare parts is false."

Kuelbs said Ross' denial only means the planes aren't loaded.

Trattner also denied two CBS News reports on the hostages.

One said efforts are being made through third countries to try to

set up a meeting between Iran and U.S. officials.

A second report had Donald McHenry, the U.S. ambassador to the United Nations, being called to Washington for instructions on dealing with the Rajai visit. Trattner said McHenry made a stop at the State Department, as he does about once a week.

Trattner also issued an unusual appeal to reporters to exercise caution in their coverage of the hostage situation.

The avalanche of publicity surrounding the hostages' release — and the red carpet reception they would receive here — would effectively camouflage the delivery of the spare parts, according to one veteran policymaker.

The conclusion that almost all senior administration officials have reached is that the hostage crisis has entered a new and perhaps decisive stage, that it has developed an urgency of its own and that it is no longer necessary for the United States to consider any diplomatically worded apology.

"My private conviction," one high-ranking State Department adviser said, "is that something could happen at any moment, at 2:30 this afternoon or in the middle of next week."

U.S. thinks Iran now wants to deal for the hostages

By John F. Warden

Examiner Washington Bureau

WASHINGTON — The Carter administration's subtle behind-the-scenes tilting toward Iran in its war with Iraq has provided the best opportunity to win freedom for the 52 American hostages.

State Department officials believe the hostages could be released within the next three weeks. The officials say Iranian leaders now have concluded that they and not the 52 Americans are the ones being held hostage and therefore the captives should be freed as soon as possible.

ANALYSIS

The officials explain that the war with Iraq has achieved three things:

It has strengthened President Abol Hassan Bani-Sadr's position within the ruling hierarchy; it has brought home Iran's desperate need for U.S. military spare parts; it has forced Iran to recognize that the Soviet bloc, although mouthy, words of friendship and support, is in fact arming Iran to the teeth.

Most of the Soviet supplies are flowing through Aqaba, Jordan's Red Sea port. As many as 40 Communist bloc

freighters have been seen to unload there in one day. The Soviet supplies — primarily food and medical goods — are then transhipped by truck across Jordan.

To remind Iran that its real friends remain in the West, the Carter administration has quietly taken a number of little-noticed steps deliberately meant to hasten the hostage's release. These include:

- Freeing numerous spare parts for shipment to Iran through friendly third countries, such as South Korea and Israel. This has permitted private arms dealers — many of them based in London — to buy parts known to be destined for the Khomeini government.

This let the countries deny that they have any official arms relationship with Iran while at the same time letting the Iranian army get the spares it needs to fight the Iraqis.

State Department officials confirmed that Iran is getting a "substantial number of things of this kind on the open market, even up to and including spares for the (American) Phantoms." Those are the supersonic jets that are the mainstay of Iran's attack.

The spares also include such things as shock absorbers, fuel gauges, pressure gauges and heavy-duty batteries.

- President Carter and National Security Adviser

Zbigniew Brzezinski also have made a number of conciliatory statements in the last 48 hours timed to coincide with the arrival in New York of Iranian Prime Minister Mohammed Ali Raji.

Carter, in two town meeting appearances this week, explicitly called Iraq "an invading nation" and said the United States opposes settlement of disputes "by aggression."

That departed from the administration's earlier professed statement of "neutrality." And in case Iran's leaders missed that signal, Brzezinski, appearing Wednesday on public TV's MacNeil-Lehrer Report, stressed that the United States backs Iran's territorial integrity.

• While the Carter administration has publicly ruled out directly providing spare parts, it has repeatedly made clear that the United States will discuss a much broader economic and military relationship as soon as the hostages go free.

The State Department yesterday denied a Chicago TV station's report that several Air Force C130 cargo planes are being loaded with spare parts bound for Iran as part of a deal that would see the hostages released by this weekend.

However, some State Department officials refused to rule out the possibility that the C130s were being "prepositioned" in case the hostages are freed. That would let the

administration say, as it has all along, that no deal was struck and that there were no preconditions for the hostages' release.

The avalanche of publicity surrounding their release — and the red carpet reception they would receive here — would effectively camouflage the delivery of the spare parts, according to a veteran policymaker.

Almost all senior administration officials have concluded that the hostage crisis has entered a new and perhaps decisive stage. They believe it has developed an urgency of its own and it's no longer necessary for the United States to consider any diplomatically worded apology to Iran.

"My private conviction," one high-ranking State Department adviser said, "is that something could happen at any moment, at 2:30 this afternoon or in the middle of next week."

"It's going to come as a bolt out of the blue because Iran now appears to have decided to liquidate this crisis. Of this I am sure. It is not going to come as a result of any particular initiative of ours."

Asked whether it would be worthwhile covering the State Department on a 24-hour basis, this official said: "I think you're quite safe for the time being, but some surprises could begin to happen by the end of the month."

13 Oct 80

1151 ~~Verjels~~ ~~Collette~~ → 938-9702
 Dn — Hostages — all back in Company,
 last week.
 Admin entangled in litigation. Long-term.

• Allen	• Richardson
• Baker	• Schultz
• Harg	•
• Kissinger	• Jeanne Kirkpatrick
• Casey	• Ann Armstrong
• McClay	
• Rogers	

JF-
FYI

iw

Montgomery Journal

3/28

p. 2

MEESE AS IN MESS**A piece of the puzzle**

WASHINGTON ATTORNEY John Coale says he can solve one of the mysteries of how "secret" Carter White House papers flowed across Edwin Meese's desk and into Republican hands during the 1980 campaign.

**Meese**

Paper flow
ard News Service. Coale explained he's making public his role now to head off any witch hunt for such a government employee who doesn't exist.

Coale said he gave State Department material stamped "Secret — Eyes Only" to Meese aide Robert Garrick in August 1980 because his clients — the 13 black and female hostages released early in the hostage crisis — were worried that President Carter was preparing another hostage rescue, or "October surprise," before the election.

As they left Iran, the former hostages received the documents from Iranian students. The papers apparently had been looted from the Tehran embassy's safe shortly after students invaded the embassy Nov. 4, 1979, but were not published in the United States "and

were still top secret material here," Coale said.

Coale told investigators for a House subcommittee that the documents discussed State Department efforts to let the deposed Shah of Iran into the United States and beef up security to protect him from Iranian students here.

"I took the material to candidate Reagan's campaign and gave them to Garrick, saying that I didn't want them to use the material unless there were an October surprise," Coale said in an interview.

"At the time, you have to remember there were powerful influences working on the campaign and some of us feared that the lives of the embassy personnel would not be taken into consideration," Coale said.

As it happened, Carter did not try to mount another hostage-rescue mission and Coale said that neither Garrick nor Meese used them during the campaign against Carter.

"They could have slammed Carter with them or they could have leaked them, but they didn't," Coale said. "We felt they were very detrimental to Carter as a candidate."

Garrick has confirmed Coale's story to House investigators looking into how the Reagan campaign staff obtained internal Carter campaign and White House documents.

• A T C H E

1500

DEPARTMENT OF STATE

Washington, D.C. 20520

D-38

August 2, 1979

SECRET - EYES ONLY

The Honorable
L. Bruce Lainon
Charge d'Affaires, a.i.
American Embassy
Tehran

Show to
Tamm

Dear Bruce:

I was finally able to see your cable dealing with the same subject as the enclosed piece. I liked your thoughts very much and believe -- with a few details of difference -- we are in accord. My paper was prepared at Newsom's request with strict instructions not to cut anyone else in except those shown as clearing and Peter. So please protect me absolutely.

Sincerely,

Henry Precht
Director
Office of Iranian Affairs

Enclosure.

Ed M.
I don't know
if this is all for real. As
you can see it's all been in the
Congressional Record. It's the
George Jackson affair
regarding the Shuh.
Ra-

SECRET - EYES ONLY

SECRET/SENSITIVEPlanning for the Shah to Come to the United States

This paper outlines some concepts we should address in considering the Shah's desire to come to the United States. We believe there are three broad questions:

- What new circumstances could justify a change in the USG position?
- What conditions should we seek from the Shah or state prior to his arrival here?
- What arrangements should we make for Embassy personnel to provide protection?

1. New Circumstances

The PGOI has laid out a plan for the adoption of a new constitution and election of a new government. If the plan is followed -- and that seems unlikely -- elections for an assembly of experts will be held on August 3. The assembly will conclude its work in one month; the draft constitution, which the experts will have reviewed, will be submitted to a popular referendum probably in September; and elections for a president and Majlis could take place as early as October. Because the Iranian government has placed a high priority on establishing a stronger and legitimate single authority for the country, we believe the PGOI and Khomeini will make every effort to meet this schedule. Even with the inevitable delays, there is a good chance that the process will be completed by the end of 1979.

Once it is completed, we should inform the new government that we wish to clear our decks of old issues on the agenda. One of those old issues will be the status of the Shah. We could inform the government that we have resisted intense pressures to allow him to come to the U.S. because we did not wish to complicate the PGOI's problems or our efforts to construct a new relationship. Now with the new government firmly established and accepted, it seems appropriate to admit the Shah to the U.S. The new government may not like it, but it is best to get the issue out of the way. This discussion with the new GOI should take place after it is in place some 2-3 weeks and some few days before the Shah would come here. In the meantime,

SECRET/SENSITIVE

SECRET/SENSITIVE

we should begin to prepare the Iranians by telling them of the intense pressures for the Shah to come here -- pressures which we are resisting despite our traditional open-door policy.

If the constitutional process does not proceed and Iranian instability seriously increases, and if there is no prospect for Iran to settle down, there may be an argument for going ahead and admitting the Shah anyway to get that inevitable step behind us, but it will be necessary first to review how dangerous the situation is.

In either of these scenarios we should aim for a positive change in our position with the Shah by January 1960. If this plan is adopted it probably would not be advisable to disseminate it beyond a close circle in the Executive Branch; perhaps a few individuals outside might be informed so as to reduce pressures for a change. We would also have to discuss the issue with Members of Congress to indicate that we were addressing the issue and hope to resolve it successfully. This would reduce pressures which could lead, for example, to a Congressional resolution calling on the Administration to admit the Shah. However, this would increase the likelihood of leaks and our having to deal with the PGOI before we are ready.

2. Conditions

It would help substantially in explaining our position to the Iranians if the Shah were to renounce his family's claim to the throne. We believe the likelihood of his doing so is extremely remote, but the idea could be explored privately by trusted intermediaries so that if the Shah refused he would have no possibility of blaming the USG for a course he rejected.

Should the Shah refuse to renounce his claim, we should leave no doubt in the Iranian mind as to our attitude. We should make it quite clear publicly that we consider any claim to the throne by his family rendered invalid by the Iranian constitutional process, and we should make it clear privately to the Shah and his friends that we would not tolerate any counter-revolutionary acts here which might violate U.S. law, or our customary policies regarding political activities of persons admitted for temporary visits.

SECRET/SENSITIVE

(8)

SECRET/SENSITIVE

3. Security

We have the impression that the threat to U.S. Embassy personnel is less now than it was in the spring; presumably the threat will diminish somewhat further by the end of this year. Nevertheless, the danger of hostages being taken in Iran will persist.

We should make no move towards admitting the Shah until we have obtained and tested a new and substantially more effective guard force for the Embassy. Secondly, when the decision is made to admit the Shah, we should quietly assign additional American security guards to the Embassy to provide protection for key personnel until the danger period is considered over.

Before proceeding further we should have more detailed work on the legal, security and Congressional relations issues.

SECRET/SENSITIVE

3. General:

Drafted: NEA/IRN:HPrecht:amp
8/1/79 - ext:20313

Clearances: NEA - Mr. Saunders
L/NEA - Mr. Small

1. We should make no more investments in the "underdeveloped" nations until we have a more realistic picture of the economic situation in these countries. The United States should not be expected to shoulder the burden of the economic development of these countries. The United States should not be expected to provide the financial resources for the economic development of these countries. The United States should not be expected to provide the financial resources for the economic development of these countries.

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SECRET STATE 151722

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SECRETARY OF STATE, LITERALLY EYES ONLY FOR CHANGE IN POLICY

TO: SECRETARY OF STATE, 7/22/04 (TAN OFF, PETER)

FROM: SECRETARY OF STATE

INFO: SECRETARY OF STATE

SUBJECT: STATE'S POLICY TO RESIDE IN THE U.S.

1. I WOULD APPRECIATE YOUR AGAIN CONSIDERING HOW TO RESPOND TO THE STATE'S CONTINUING QUEST TO US THROUGH VARIOUS CHANNELS REGARDING ESTABLISHING RESIDENCE FOR HIMSELF, THE EMBAASSY, AND HIS FAMILY IN THE U.S. (HE CAN REMAIN IN MEXICO AT LEAST THROUGH CONTACT.) I WOULD LIKE TO HAVE YOUR PERSONAL AND PRIVATE THOUGHTS ON THE EFFECT OF SUCH A MOVE ON THE SAFETY OF AMERICANS IN BERLIN (ESPECIALLY THE OFFICIAL AMERICANS IN THE COMPOUND), AS WELL AS ON OUR RELATIONS WITH THE GOVERNMENT OF GERMANY.

2. WOULD YOUR ANSWER TO THE QUESTION POSED IN PARA 1 BE DIFFERENT IF (A) THE STATE RENOUNCED HIS CLAIM AND THAT OF HIS HEIRS TO THE THRONE, OR (B) THAT HE AGREED TO FORSWEAR POLITICAL ACTIVITY OF ANY SORT AND THAT THIS BE CONFIRMED PUBLICLY.

3. WE CURRENTLY UNDERSTAND THAT THE KEY TO MINIMIZING THE IMPACT OF THE STATE'S RESIDENCE WOULD BE IN OBTAINING AND THE GOVERNMENT'S WILLINGNESS AND ABILITY IN SUCH A SITUATION TO CONTROL AND CONTROL THE SECURITY FORCES GUARDING OUR PEOPLE AND TO MINIMIZE ANY HOSTILE PUBLIC REACTION AGAINST OUR PEOPLE OR OUR RELATIONS.

SINCE THIS QUESTION IS BEING THOUGHTFULLY HELD IN WASHINGTON, I WOULD APPRECIATE YOUR NOT SPARING THIS MESSAGE WITH OTHERS ELSE ON YOUR STAFF. PLEASE SEND YOUR REPLY HOME/CORRESPONDENCE FOR THE SECRETARY. WITH BEST REGARDS.

UNCLAS

22



Congressional Record

United States
of America

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, WEDNESDAY, MARCH 26, 1980

No. 50

House of Representatives

IRANGATE

1506

JACK ANDERSON

THE WASHINGTON POST

Monday, March 24, 1980

C23

Hansen Urges House Probe of Iran Crisis

A ringing secret report to the House Intelligence Committee raises serious questions about President Carter's role in the Iranian hostage situation and suggests that only prompt and thorough congressional hearings can fix responsibility for the crisis and secure the hostages' release.

The detailed report was prepared by Rep. George Hansen, the maverick Idaho Republican who tried to resolve

the hostage crisis by negotiating personally with the captors in Tehran.

In his report sent to Rep. Edward Boland (D-Iowa), chairman of the Intelligence Committee, Hansen charges that Carter's leadership for its failure to look into the Iranian situation, when an investigation might have the hostages.

"Congress did not hesitate long to open inquiries into Watergate and

Koreagate," he reminded Boland. "Our government did not wait until the end of World War II to find who slept at the switch on Pearl Harbor

"I can personally attest to you with witnesses that such hearings could have brought the hostage home in November and may well be the key again... Why should we sidestep the truth until the hostages are out when the truth can get them out?"

CONT.

D16

Tuesday, March 24, 1968

THE WASHINGTON POST

(p.13)

The lengthy, hazy and perhaps illegal relationship between the former Shah of Iran and top policymakers in Washington may finally get the long overdue official scrutiny it deserves.

Key George Hansen—the maverick Idaho Republican who went to Tehran twice to negotiate for release of the American hostages—has conducted his

own investigation of the sweetheart relationship between the Shah and Washington's high and mighty.

Working with a staff of three investigators, the congressman has detailed his findings in secret reports to two House committees. Intelligence and Banking and has demanded a full-scale inquiry.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. Hansen) is recognized for 60 minutes.

Mr. HANSEN. Mr. Speaker, nearly 8 months have expired since American personnel at the U.S. Embassy in Tehran were taken hostage by Iranian militants. During this time, the Congress has virtually abdicated its responsibility in this critical situation.

Such curious inaction is increasingly being interpreted by the American people as a callous disregard for the welfare of the hostages and their families and for our national security.

This lack of effort is shameful and must be immediately corrected. To assist me today in presenting for the Record evidence of the appropriate action being taken by the appropriate committees of Congress, I am submitting a renewed request that investigations be opened and hearings held regarding the

Iran crisis.

The evidence I am supplying in the following letters should provide good reason for Congress to proceed with early hearings and investigative action, either through appropriate committees or a special joint committee:

Hansen on Representativeness.

Washington, D.C., March 24, 1968.

Hon. JAMES CARTER,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: Since completing the enclosed letters, I have received an account of a recent visit to my "sister" city of Amman, Jordan, by a member of the Congressional hearing on the Iran crisis. I appreciate knowing of your need for Congressional action regarding the Iran crisis, but I am sure that you would like to have the release of the hostages.

I am herewith transmitting copies of this material to you, because the Iran situation is the most critical foreign policy issue of the day. I am confident that you will receive your personal attention since it is acknowledged

be useful in helping you to reach a positive decision regarding such Congressional action.

I look forward to your forthcoming response as indicated by Mr. Hansen.

Sincerely,
GEORGE HANSEN,
Member of Congress.

Hansen on Representativeness.
Washington, D.C., March 18, 1968.

Hon. JAMES CARTER,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: In my telegram to you of this date, March 14, I pointed out that I am bringing to the attention of Congressional leaders on Monday, March 17, facts, figures and evidence from the large volume of information I have collected regarding the Iran crisis which demand hearings and investigation.

I am herewith transmitting copies of this material to you, because the Iran situation is the most critical foreign policy issue of the day. I am confident that you will receive your personal attention since it is acknowledged

be useful in helping you to reach a positive decision regarding such Congressional action.

I look forward to your forthcoming response as indicated by Mr. Hansen.

Sincerely,
GEORGE HANSEN,
Member of Congress.

(5-22245)

CONGRESSIONAL RECORD—HOUSE

March 26, 1980

[illegible]

(1) During my visit to Tehran over the Thanksgiving period of November.

(3) Following the Weinstein visit to Tehran, an appearance on television.

(4) At Christmas time, Mr. Weinstein asked you that our government would allow the former providing for the United States diplomatic personnel in Iran the lack of earnings by self-activity? Do you recall any U.S. action in 1978?

(5) A secret-service by U.S. Diplomatic document Iranian Affairs Division, Department of State, dated 12/19/78, to Mr. French addressed to L. Bruce LaMont, U.S. Charge d'Affaires in Tehran, that the U.S. State Department was not aware of any result of long-term work that a medical profession as presented to the public and a rectifier proposed by Iran's unstable political environment that invited a kind of anamorphosis of Iran's unstable political environment. This is further supported by similar secret documents from the Embassy in Tehran, documents from the State Department and other reliable official and public documents.

[illegible][illegible]

1961. Several of these documents have previously been cited in this letter which should clearly illustrate the danger they capture and pose for American interests. There can be little doubt that the Soviets and other hostile interests have also acquired these documents and will benefit considerably from them.

1640 A SECRET
MAYO IN THIRDS DATED JUNE 18, 1978 RELAYED THAT "INFORMATION PREVIOUSLY RELAYED TO THE GOVERNMENT OF IRAQ HAS BEEN SUBJECTED TO AN INVESTIGATION AND HAS BEEN FOUND TO BE A Mixture OF MISLEADING INFORMATION ON ORGANIZATIONS OF DISARMED INFORMATION ON MILITARY PERSONNEL, TRAINING MATERIAL AND MUNITIONS PRODUCTION. THIS INFORMATION COMBINED MILITARY OPERATIONS, PLANNING AND RESOURCES; THIS MEANS WAS NOT APPROPRIATE WITH ALL THE REST EVEN THOUGH IT WAS RELAYED TO THE GOVERNMENT OF IRAQ THAT SUCH "DISARMED" INFORMATION IS NOT RELAYABLE TO THE GOVERNMENT OF IRAQ."

(d) Other documents captured by the military and intelligence agencies of the United States provide information that can really be interpreted as proving that certain Americans were there in a CIA or spying capacity even though such information may in reality be innocent of such intent.

Tehran.

Last week, the Los Angeles Times reported that the Shah had left Mexico believing he had assurances from President Jose Lopez Portillo that he could return. The story said that written assurances had been handed to the Shah by an intermediary the day before he left Mexico.

However, the disclosure to the Los Angeles Times of the letter to the Oct. 21 State Department cable makes clear that the "Rockefeller aide" rather than the Mexican government was the source of the information regarding the assurances to the Shah.

The cable reads in part:
"Rockefeller aide has informed us that Mexican President Jose Lopez Portillo sent the following message to the former Shah on Oct. 20, responding to a request made to him by the Shah to permit the Shah's return to Mexico following medical treatment in U.S."
According to the cable, Lopez Portillo told the exiled ruler that the Shah was "always welcome" and that "we await your return."

In The Los Angeles Times story revealing the communication, there was no indication that the State Department's source for the reported communication between Lopez Portillo and the Shah was the "Rockefeller office." On Dec. 21, the Mexican Embassy in Washington denied in a letter to the newspaper that the quoted assurances of asylum were authentic.

According to a letter from Mexican Ambassador Hugo A. Martinez to The Los Angeles Times, "the letter which President Lopez Portillo allegedly wrote never existed."

Furthermore, Martinez said, "No assurance of the Shah's return was given to the U.S. government, which at no time officially requested the Mexican government to readmit the ex-Shah at the end of his treatment in New York."

(V) Doesn't it shock you that witnesses and documents can arise that on several occasions the American hostages could have

reaction here."

(3) The Frecht document further says "when the decision is made to admit the Shah, we should quickly assign additional American security guards to the Embassy, to provide protection for key personnel until the danger period is considered over, but Frecht later admitted that those guards were never provided."

(4) Despite President Carter's statement that he had assurances that the government of Iran would protect the Embassy, Iranian Foreign Minister Daryoush Fard said he officially warned the U.S. State Department 24 hours before the Shah arrived in New York "You are playing with fire, there will be a very drastic reaction."

(5) When Secretary Vance was asked what he told President Carter about protecting the Embassy, he answered, "we said we could but we didn't." In fact, there is little to suggest that they were even trying when in Tehran as well as most other recent embassy assaults, our own Marines have been withheld from providing protection.

(6) How could anyone ignore the fact that this same U.S. Embassy had been captured in February only nine months before, and conditions remained dangerously unstable? In addition, Iranian militiamen to be encouraged in November, only had to remember that American Ambassador Sullivan had ordered his Marines not to react in February.

(VII) Doesn't it shock you that the U.S. Department of State provoked the capture of an American Embassy and the taking of hostages and plunged America into a world crisis over the unbelievable issue of where a former king gets his medical treatment—and did it all through preferential use of second-hand information provided by the Shah's New York banker David Rockefeller regarding the medical status of the Shah and his true status with respect to the strongest possible U.S. security warnings against such action?

(8) With Iran's high strategic importance to the United States because of its petroleum resources and proximity to the Soviet Union, there can be little doubt that the American Embassy in Tehran was deeply involved in intelligence work, a privilege we apparently paid dearly for over the years in terms of huge CIA subsidies to Iran's clergy and the privilege SAVAK enjoyed in the U.S. to carry out their surveillance and harassment of Iranians residing here. Three years ago Iranian Ambassador Saberi said if the U.S. Government told Iran to pull its SAVAK agents out of the country, "we are going to insist and we shall ask them to leave the same time we shall ask your people to leave my country."

(IX) Doesn't it shock you that I have been back from my first trip to Iran at Thanksgiving time for over three months and no U.S. Government Agency, Intelligence Service or even Committee in Congress, including your own, has asked for sensitive information or details regarding the secret documents given to me in the American Embassy at Tehran by the militiamen holding our hostages—even with the Soviet invasion of East-door Afghanistan involving the United States in a major military confrontation?

(a) The security of secret documents and information was of major concern in the Pueblo affair with North Korea, why not in Iran?

(b) The security of secret documents joined from the Pentagon useful to the Soviet Union was of major concern in the Embassy case, why not in Iran?

(c) The security of sensitive government documents was of major concern during the anti-Vietnam demonstrations and protests of the 1960's, why not in Iran?

(d) The security of secret information, equipment and operations was of major concern in the Francis Gary Powers case regarding the Soviet Union, why not in Iran?

(X) Doesn't it shock you (1) that a former Presidential Cabinet member upon leaving

March 26, 1980

CONGRESSIONAL RECORD — HOUSE

H 2247

public office could begin receiving \$33,000 per month in salary from the State of Iran. The Cabinet members would arrive from a job where he presided over a company dispensing hundreds of thousands of dollars in kickbacks to Iranian officials. The Iranian Government encouraged by another former Cabinet member would work through the private channels of the Shah's American Minister to the United States to engineer the Shah's entry into the United States, resolutely rejecting American law. (5) I am informed by officials of the National Security Council that the Shah's attempt New York based Fahari Foundation has been approved by the State Department. The Shah's firm was paid \$43,000 per month, more than \$1,000,000, to care for the legal needs of that Iranian organization which has only one office in New York City. There appear to be serious concerns of interest and other irregularities in this relationship. (See attached Senate letter of the Shah's firm to the State Department.)

The Treasury is in contact about Secretary of the Tatroon Corporation before his government appointment during a period when this firm is in contact with the family of the Shah on purchases from U.S. companies. This matter is currently under investigation by the Senate Banking Committee. (See Senate letter of this date for details.)

(6) Secretary of State Cyrus Vance encouraged by former Secretary of State Henry Kissinger working with their employees, President Carter paid Chase Manhattan

Shah's drive for higher oil prices. This outburst in the oil market of March 1979, the Treasury, was raised a horn at the White House. He got nowhere with outgoing President Nixon.

The married Simon sent incoming President Jimmy Carter a letter in which he charged that Iran "is the dominant force in OPEC for higher oil prices." The Shah's "begs economic arguments." Simon predicted that the Shah would be "overthrown" and "Kissinger continued to threat every move" were those concerned with ways to finance the rising oil bills until Simon finally won a temporary victory by persuading President Carter to "suspend the Iranian oil embargo." This brought about a price freeze for a time but was too late to halt the basic course of events.

Kissinger is now back as the foreign policy adviser to the Rockefeller financial empire, which owns the Shah far more than a moral debt. In fact, the Shah is still a client worth \$1 billion. My sources say he relies heavily on the financial counsel of David Rockefeller and Kissinger.

Rockefeller is Chairman of the Chase Manhattan Bank which, together with the Rockefeller trust funds and the American Enterprise Institute, is the dominant force in Iran. R.C. Kimmelman also is a director of Chase Manhattan. There are other interlocking ties between the banking conglomerate and the Shah's empire. Under Rockefeller domination for decades . . . Shah Mohammed Reza Pahlavi, once he was restored to his throne in 1951, knew who owned his fortune. He permitted the Shah's empire to be built into the Iran oil operation which before Mossadegh had been dominated by the British. The dominant company in this new American-Iranian oil consortium was Exxon.

The Iranian run on the Chase was a result of the Shah's drive for higher oil prices. David Rockefeller, because of the size of the deposit, the Iranian withdrew clearly and proved there was no legal way they could be stopped.

THE CHASE ADVANTAGE

Suddenly, about three months ago, David Rockefeller and Henry Kissinger began to put pressure on President Carter to admit the Shah to the United States.

The Carter Administration was well aware that the admission of the Shah would provoke an attack on the U.S. Embassy in Teheran, but it gave a green light to the proposed admission of the Shah to the United States to obtain release of the hostages and made further threats against the United States.

President Carter from Iranian assets. The Shahs provided further withdrawals of funds from Chase Manhattan and the lion's share of the Iranian oil money. However, under the freeze the Chase was not allowed to use the funds. Therefore, it had to find a place to use the money.

On November 21, 1979, a measure that has been labeled illegal by the U.S. Treasury and considered as a "major infraction" of the International Banking Code by a major U.S. bank, Chase Manhattan, announced a default by Iran on a syndicated loan of \$400 million. Chase said that the default was due to the fact that Bank Mawani, the Iranian central bank, had not paid its loan payment of \$100 million. The Shah's empire, however, of Bank Mawani claimed the order to transfer the funds had been issued to Chase on November 1.

In a letter being sent on November 22, Chase Manhattan V.A. announced that it had indeed received the Iranian transfer order.

Chairman David Rockefeller, who enjoy a close personal relationship with the Shah, brought the former Shah of Iran to the United States under most controversial circumstances. (See items IV, VI and VII of this report.) The Shah's personal lawyer for several years, David Rockefeller, was appointed Mr. Vance's secretary of State. Mr. Kissinger has had a long personal relationship with the Rockefeller family since the time of the Shah's coronation.

Columnist Jack Anderson on Dec. 10, 1979, said of Kissinger:

"... He appears to be caught in a colossal snare... He seems to have been deceived by the Shah, who was a master of deception. We have established from a three-year investigation that Kissinger would have predicted the runaway rise in oil prices. He held the Shah's hand, and the Shah of Iran was an incredible force worth untold billions to the Shah.

But it turns out there was another beneficiary of the Rockefeller family. That is, it seems that the Shah of Iran, who helped the Shah to overthrow the former Shah of Iran, was actually ousted by Mohammed Mossadegh in the early 1960s. The grateful Shah rewarded the Mossadegh family with special oil banking and real estate deals.

It is against this background that the economic crisis in Iran should be viewed. The Shah, it has been said, has been the oil region in 1979.

The response of the West by largely ignoring the Shah's role in the crisis and Kissinger's support in Washington was influenced by Washington.

The secret of the Shah's role in the crisis was that he had offered to his domestic Saudi Arabia a large sum of money to help him. The Saudis had enormous influence with the West. It was up to Washington, they said, to apply the pressure.

The secret says that the Shah, however, refused to interfere with the

The Shah also made Chase Manhattan an American bank. He personally ordered substantial investments in oil purchases and other transactions to be made through the bank. And he submitted other lucrative deals to the Rockefeller crowd.

It is clear that the Shah was not only a major force in the oil market, but also a major force in the oil market.

(3) There has been much speculation over the involvement of the Chase Manhattan Bank in the Iranian oil crisis. The bank's involvement in the crisis has been a major reason for the Shah's personal relationship with the bank. The bank's involvement in the crisis has been a major reason for the Shah's personal relationship with the bank. The bank's involvement in the crisis has been a major reason for the Shah's personal relationship with the bank.

It is now apparent that the Iranian crisis was not a simple matter of oil. The crisis was a complex matter of oil, money, and power. The crisis was a complex matter of oil, money, and power. The crisis was a complex matter of oil, money, and power.

The story, confirmed in its details by the U.S. Government official, reads like the work of a Paul Breman novel. However, the circumstances surrounding the crisis are overwhelming evidence of a conspiracy.

Under the rules of the Shah, the national oil companies deposited most of their revenues in Chase Manhattan's offshore accounts. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank.

But it made its head office "could not survive" Bank Marzban's request on the day it was supposed to have done so, because it would have been a violation of U.S. law. In other words, the Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank.

Public opinion polls have been giving the Shah a very low rating. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank.

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(4) With the Shah's vast wealth and the huge revenues from the oil industry, the Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank. The Shah's personal relationship with the bank was a major reason for the Shah's personal relationship with the bank.

that U.S. loans be prohibited from subverting the U.S. foreign policy. He received a letter from the Assistant Secretary of State for Congressional Liaison, Douglas J. Bennett with the following plan: "Right about the violation of forcing loans to be repaid on the basis of the U.S. foreign policy on oppression, terrorism and terrorism."

"It would expose U.S. loans to a charge of acting as agents of U.S. foreign policy," Bennett wrote.

David Rockefeller has just opened a branch of the Rockefeller Foundation in Santiago, Chile and David seems to be carrying on the family tradition. But his tendency to collect information is providing somewhat exposure for the country—well for that matter for world peace.

He cannot be faulted for pursuing his own interest. In a democracy everyone has a right. Since he is obviously so much more ahead than the rest of the world, he should be acquiring some new friends and new causes.

Mr. Chairman, I reviewed your letter to Secretary of State Cyrus Vance of May 11, 1979 about the Chilean situation. Particularly the following paragraph:

"This is an intolerable situation. I strongly urge you to include, in your review of our relations with Chile, a thorough analysis of the situation in Chile, particularly the role of the Chilean economy. Chilean banks have had on the Chilean economy the ability of the Chilean Government to finance its international payments and to maintain its international creditworthiness and on the political strength of the Chilean Government you to take a careful look at the relative importance of United States loans to Chilean other sources of credit available to Chilean banks. The Chilean Government has a long record of directing American loans to continue the granting of new loans to Chile, and to refuse to raise existing debts when they come due, until such time as the Chilean

bank is in a position to pay them." The fact that the political and social development of Chile is a result of the "Chilean revolution" is a fact. The "Chilean revolution" which caused the Chilean revolution is the result of a badly corrupt, tyrannical and oppressive regime. The "Chilean revolution" is a functional democracy.

Mr. Chairman, we cannot and should not suppress the fact. We should display our independence from even before and tell them the truth. As I have said, we should be about doing our best for the Chilean, we are talking about protecting the well-being of the American people. The Chilean people should be encouraged to get honest facts. It is a challenge of the Congressional hearing process to take hearings for hearings. I can tell you that Senator Bennett and I have both heard that the concept is well-called in the Chilean "Golden Rule" which says, "Do unto others as you would have them do unto you," not as they would do to you.

Let us take the initiative, Mr. Chairman. It is time for facts; it is time for honesty. It is time for morality; and certainly it is time for time to act rather than react. If we pass time to act rather than react, we strengthen our national security and our image as a great and good nation. It is vitally important to have hearings—done! sincerely.

George H. W. Bush
Member of Congress

ROBERT H. ROSENBERG
Chairman, Committee on Banking, Finance and Urban Affairs, Washington, D.C.

Dear Mr. Chairman: I received your letter of Dec. 12, 1979 regarding your view to my "view that priority must be given to the safe return of the hostages" and that "we should continue with the efforts of the Executive to secure their release."

nothing will change until the 60-month floor is reached in the State Department with respect to the hostages. The State Department fully implements proper security measures. Congress can and should base on the information.

Mr. Chairman, for additional information I am sending you a copy of a letter from the Committee Chairman Henry Reuss and copies of communications with President Carter and other Members of Congress along with appropriate news releases. The letter still provides only an outline of the massive evidence available for your scrutiny. I hope you can arrange at an early time to bring the appropriate news before your Committee. The Committee should not be misled by the paralysis of Congressional action in dealing with apparent gross errors and mismanagement of our foreign affairs and national security.

I express again my deep concern about the vigor with which intelligence has been pursued in the Iranian matter and the fact that the Committee has been so thoroughly interviewed or interrogated by any Congressional Committee. Of course it is important not to transmit to our enemies or anyone else the fact that the Committee is in a state of crisis. However, it is not valid though they may be must have their limits in the concern for the safety of the nation and in fighting those wrongs and errors which have caused the current and involvement in the crisis in the first place.

The time has now passed for continuing a blind display of national unanimity at the expense of the basic assumptions of the House and people whose actions are based on the national security.

The national media and in increasing number of instances seem to be questioning on subjects which have been the overnight responsibility of your Committee.

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Government seem to be empty with the exception of the Treasury and the State Department. I will support you fully."

Mr. Chairman, your proposal for Chile was ironically rejected by the State Department because "it would appear to be a violation of our policy." But the identical idea was applied six months later for the same reason against Iran.

However, in the case of Iran, one of the big banks, Chase Manhattan, already referred to in the memo on Chile, has financially and predictably plunged the United States into a world of trouble by supporting the Iranian revolution. In connection with respect to Iran for the apparent purpose of protecting or enhancing its own financial position. Key officials of the Chase Bank have operated in apparent violation of the Foreign Corrupt Practices Act, which requires them to risk the solvency of one of the nation's leading banks and seriously jeopardizing the interests of their depositors and shareholders.

There is a Washington Post (March 24, 1980) clearly indicating that the involvement is as big as ever. Omar Omar Torrijos of Panama, involved in the controversy over the Panama Canal, has been quoted as saying, "I cannot wait one minute longer. I don't have the economic or political means to stand up to the United States." The Post also quotes the Chairman of the Chase Manhattan Bank, and former U.S. Secretary of State Henry Kissinger, as saying, "The Kissinger-Kissinger plot to have the Shah of Iran stay in power and the United States papers were to be signed on the extradition of Panama by the Government of Iran. The move was in apparent conflict with U.S. Po-

litical to obtain release of the hostages and made further threats against the United States. President Carter froze Iranian assets. The freeze prevented further withdrawals of Iranian funds from the Chase Bank.

However, under the freeze the Chase was not allowed to use the funds. Therefore, it had to find a way to raise the money.

On November 21, the Chase Bank had been ordered to freeze the U.S. Treasury had condemned it as a "major violation" of the International Banking Code by a major Swiss bank. Chase gave notice of payment default by Iran on November 21, 1979. The bank had said that the default was due to the fact that Bank Marzban, the Iranian central bank, had not met its loan payment of \$4 million due on November 11. Officials of Bank Marzban had said that the payment had been made to Chase on November 4.

In a Reuters news story on November 21, Chase Manhattan, N.Y., admitted that it had indeed received the money. But it had not paid it to the U.S. Treasury. Bank Marzban's request on the day it was supposed to have done so, because it would have been a violation of U.S. law, in order to get the money out of the bank. The bank had made the money on the order of its client, Iran, and then declared that the client was in default of the loan.

The CIA says that on the theme of Iran, the Shah, and the U.S. Treasury, the Shah and David Rockefeller were close friends and the Chase Manhattan was beginning to get a significant piece of Iranian oil revenue. In 1974, the Shah's government, the largest bank that had been made to Iran. In the same year, the Shah let OPEC to impose its first major oil increase on the Western world.

ted to the National Iranian Oil Co.'s accounts at Chase.

The court documents describe how huge receipts from Iran's oil sales to the United States were deposited in Chase Bank accounts in New York City, and then to the Iranian central bank's account there, and finally to an interest-bearing "oil account" in Chase Bank. The court documents say that the money stayed in Chase and simply moved from one account to another.

Even after the Shah left from February to August, 1979, the money continued to move from the Iranian central bank's account to the Chase Bank's account in Chase.

Under the terms of the Chase role eliminated, and by the fall of 1979 the National Iranian Oil Co.'s accounts were almost depleted, according to its own admission. After the Shah left Iran, there was political and economic chaos in Iran. The country was in a state of defense contracts were terminated, and vast construction projects were halted.

It was at this time that the U.S. Government began denying strategies to protect their loans and their property in Iran. U.S. Treasury had been ordered to freeze the accounts of the Shah's friends and family. The possibility of a freeze of Iranian assets and banks had called in their letters to assess their loans to Iranian borrowers. In 1978, 1977 and 1976 International Bank was established in Iran. It had a total of \$3.5 billion in credits to the Iranian government and private borrowers for development of pipelines, various plants, petrochemical factories, etc.

The banks were kept for the business be-

eight. Policy which is reported to have operated in the past, the removal of centers for its impact on the hostages.

To impact the seriousness of this situation, I quote for you a fragmenting scenario which is reported to have been formed in many responsible national and international financial journals.

"It is now apparent that the Iranian crisis was provoked by the Chase Manhattan Bank in 1979, when it was the only bank to refuse to pay for Iranian oil."

The story, confirmed in its details by Chase and U.S. officials, reads like the plot of a Paul Preman novel. However, the circumstances evidence of a conspiracy is overwhelming.

Under the rule of the Shah, the national Iranian oil companies controlled most of the production in Chase Manhattan's oil fields. The Shah's oil companies had a massive deposit base for Chase to use for the purchase of oil. The Shah's oil companies had about four or five million barrels of oil in the fall of the Shah, the revolutionary regime of the Ayatollah Khomeini began to withdraw the Iranian funds from the Chase Bank.

The Iranian law on the Chase was a reaction to the long friendship between the Shah and the Chairman of Chase Manhattan, David Rockefeller. Because of the close of the operation, the Iranian withdrawal of funds from the Chase was a major victory and survival, and there was no legal way they could be stopped.

THE CHASE ADVANTAGE

Suddenly, about three months ago, David Rockefeller and Henry Kissinger began to let the Iranian President Carter to submit the Shah to the United States government. The Carter Administration was well aware that the submission of the Shah would provoke an attack on the U.S. Embassy in Tehran, but it gave a green light to the spread route to Teyeh. Then, when Khomeini

provided more revenues for deposit in Chase Manhattan Bank and higher profits for the major banks, which the Rockefeller were managing.

Public opinion polls have been giving President Carter high marks for the most free and fair election in the history of the United States. But the same administration in handling the Iranian crisis has been given low marks. The banks are not free and while the Chase Manhattan Bank appears to be in good shape, smaller central banks and OPEC countries, fearful of the Iranian crisis, have been withdrawing funds from the Chase and U.S. officials, reads like the plot of a Paul Preman novel. However, the circumstances evidence of a conspiracy is overwhelming.

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One Treasury Department official acknowledged that the bank had had far-reaching effects on the world's banking system. It had to more than 100 international banks by the United States and the American arms industry, often staffed by retired military and civilian government personnel, in perpetrating the people of Iran by using untraceable volumes of military hardware and services. The United States had a full bureau of this waste on our own citizens—common sense tells us that the cost has been large.

The Treasury Department official continued that the United States had a royal family by certain American corporations such as Lockheed and "Terror." The constant intervention by officials of the United States in the affairs of the royal family of the United States without protest by the State Department. Part of the same intrigue is the revolving door employment by the same bank of former and future Iranian officials.

The scandalous Iran scandal involving the Iranian royal family, in which the United States was the primary beneficiary, was the same victims were the peasants of Iran and the harpists and consumers of the United States.

At the center of each of these activities the same banking and energy interests continually pursue. In each case, the Chase-Nixon bank has been the primary beneficiary. In apparent disregard of the interests of the United States.

Following is a brief outline of only some of the factors of the international nature of the Iran scandal.

1. THE BANK INVOLVEMENT AND ITS IMPACT ON THE ECONOMIC STABILITY OF THE UNITED STATES

The beginning of the crisis in Iran was the admission of the former Shah of Iran that the United States had been involved in a program which could be described as

Though politically popular at the time, the blocking of funds has had far-reaching impacts on the world's banking system. It had to more than 100 international banks by the United States and the American arms industry, often staffed by retired military and civilian government personnel, in perpetrating the people of Iran by using untraceable volumes of military hardware and services. The United States had a full bureau of this waste on our own citizens—common sense tells us that the cost has been large.

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1. The press increased the withdrawal and printed the crisis of Chase predicted by many substantial financial journals like the London Times.

2. Shortly after the press, Chase declared a default on the \$100 million loan to the Iranian Government. The press reported that \$400 million on the ground that a regular payment had not been made. The press had in fact been authorized to make the loan, but Chase took the position that it could not be made.

3. Former officers of Chase have admitted that Chase realized a profit on the Iranian deposits of more than one billion dollars, which they had been authorized to withdraw. Chase has at several times that amount.

4. In its January issue, the Asia Banking Journal (p. 42) states that the Iranian Government had been authorized to withdraw \$1 billion from the default by American banks. The article stated that a group of banks holding more of the deposits had agreed to the same way.

5. In February, published an article called "Bankers' Caution." The article said that the default by American banks could cause "something akin to a bank panic." It is obvious that even the appearance of trouble can cause a bank to panic. The article said that the Iranian Government had a serious cause for a close examination by the House Banking Committee. I do not think that anyone would disagree that an investigation is warranted.

6. The public has already perceived, rightly or wrongly, that our banks have been more productive than a board of inquiry after the disaster. In my view, that our banks have been more productive than a board of inquiry after the disaster.

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IF THE UNITED STATES THE BANKS AND THE
INDEPENDENT FINANCIAL PERSONNEL

[illegible][illegible]

* Note: Through a self-liquidating, non-interest loan from Bank of America.

[illegible]

Further testimony by those concerned with the sale of the land would be that the land would be sold at a profit and that the proceeds would be used to pay the debt of the land. The land would be sold at a profit and the proceeds would be used to pay the debt of the land. The land would be sold at a profit and the proceeds would be used to pay the debt of the land.

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The bulletin, it appears, were largely paid in advance, and some of them even were reported to have received the international sums but with the intervention of the Revolution, have never seen any foreign export. It is alleged that the preparations in order to exchange the Iranian currency for gold, silver and gold in London, when the Shah's bands ended up with hard dollars that were three sent abroad to the State Bank of the "exile" would have to be done after the end of the year, through foreign banks. However, since no Iranian bank has deposit accounts abroad, and no European bank has branches in Iran.

[illegible]

Even where public housing "rebuilds" units were apparently owed in such a way as to be a personal income venture for the Shah and the firms were corresponding) explanations about Iranian rights abuses, it is hard to wonder that Iran became fertile soil for anti-Shah and therefore anti-American rumors. Since the disruption of the Iranian banking system because of the revolution, we do not know the extent of the involvement of American banks in this pet bank scandal. In view of the intimate financial and mili-

If our primary function as a Banking Committee is not to inform ourselves on the activities of the American banking community, are we not reduced to being mechanistic make-overs the vehicle is in running water, but are denied the right to question where it is going?

Korea of it was needs to be told that American businessmen have defended themselves against charges of paying off foreign markets or getting in on the ground floor of a market that is not a market.

Without commenting on such phenomena, however, I believe each year that the Presidential Cabinet has been more and more completely deceived by the kind of evidence that the Shah and the Koryl family offer as evidence in their defense. I have seen a million dollars in the possession of a man who claims to be a revolutionist, rather than a man who claims he didn't know where so much of his company's assets were going should provide for the revolution and expenditure of the country.

Should we ignore the simple fact that Mr. Miller and his business were intimately bound up with the Communist Party of the United States? The Board of Directors of the National Committee was the Board of Directors of the National Committee? How much evidence does the National Committee need before it begins to assume the responsibility of the American community as to whether it is our leading community or not? Is it such a laughing matter as this for us to say?

Tremas do not occur in neat plastic pack-
ages. Involved in the Chinese Black orbit are
Laplace, David Rockefeller and his high-powered Tri-
national Commission (Tremas), many of whom
hold or have held high office in the U.S. Gov-
ernment and lay private positions having
international dealings with Iran. If Chinese people
and our own Secretary of Treasury are in any
way responsible for the Iranian crisis, and
the evidence is overwhelming by their own
admission, they are also responsible for the

Now can we tell the mothers of this nation that we're sending their sons and daughters to fight a war over an argument about whether an eating gets his medical treatment?

3. THE MILITARY HARDWARE SALES MAN

[illegible]

In other words, Iran had, under the Shah, spent about billions of dollars of computers and other material which they were largely incapable of using. We had acquired our large market for domestic manufacturers at the expense of quadrupled oil prices without adding significantly to the technical or strategic strength of a nation considered to be our neighbor in the Middle East.

[illegible]

other ventures of the Shah in military, energy and international banking matters by the Chinese and other American banks, it would be surprising if the evidence did not ultimately show that some of these same banks were involved in what in this country would be called a huge swindle.

The question facing us in the Banking Committee is simple. Can we listen to American banks asking for guarantees on high interest soft loans made to Lesser Developed Countries (LDC's) without also looking at the full picture of all the business chicanery by those banks in these same countries and the profits reaped off in those transactions? Can we afford to make the United States and the American taxpayer the classic bumpkin who is only a partner on the losing venture?

Ultimately, Iran, Panama, Chile and other countries are forcing us to take cognizance of a new phenomenon. What is the total impact on the foreign policy of the United States of the financial activities of American banks? Can our Committee ignore the simple fact that Bankers Sunkin and Linowits produced the Panamanian debacle? Bankers Rockefeller and Kissinger along with Kissinger's Secretary of State colleague William Rogers and Cyrus Vance seem to be up to their armpits in fanning the Iranian flame.

One has to ask where else the United States responded to big bank pressures to produce a compromise of our interests for the benefit of the international banks? Did American banks have a hand in the recognition of the People's Republic of China (PRC) at the expense of the Taiwan-based Republic of China (ROC)? Whatever the answers to these questions, can our Committee simply ignore the clear and current evidence in the Iran matter while the probability exists that big banks have now branched out from dominating domestic policy to manipulation of foreign policy?

admissions that they are, then we have already lost account, if not hundreds of lives because of their activities. For example, can we doubt that the lives lost in the American Embassy in Pakistan are the direct result of the conduct of these men? Tehran is the father of many tragedies including Bopora. More important, the crisis in which our domestic financial community has had such a dominant hand could yet erupt into a shooting war. It is difficult to imagine that we could turn our backs on substantial evidence that the sources of the danger we face are within the jurisdiction of our Committee.

Certainly we should act to find out how internationally operating banks can cooperate in extracting public monies from a country and converting them to the private use of those having the power to impose monopolistic arrangements on the economy of that country. The possibilities for such theft are by no means limited to Iran and might also very easily be happening elsewhere. To the extent that American individuals and businesses have to operate in such countries, they are "sunked", and to the extent that American banks cooperate in the sinking, they are acting in a criminal manner. Whether Americans are criminals or victims in such operations, as long as American banks are a key part of the process, it is incumbent on us to try to expose these illegalities.

One letter is not the proper vehicle to set out all the evidence even in one category of this complex story. Suffice it to say that the same sordid back street payoff system has been laid to the doorstep of Northrup as well as the heavily publicized Lockheed corporation.

I am not so naive as to believe that the world of big business is run like a Sunday school. However, I do believe that, when that business world has led us again to the

other side of schemes in which all the elements of the sordid men that is our Iran policy come together, involved is the current Secretary of the Treasury, G. William Miller, who was the Chief Executive officer of Texaco Corporation during a period when huge kickbacks were paid by large American corporations to brothers-in-law of the Shah—a scandalous replay of the earlier illegal kickbacks by Lockheed and others to many foreign interests including the Shah's family. To sell arms to Iran, U.S. firms were required to pay off members of the Shah's family or other favored individuals. The money in this major case was largely handled and "laundered" through an Oklahoma bank such giants as Rockwell-International, Lycoming, and Bell Helicopter admit making the payoff.

Once put through the Oklahoma bank, the money went directly to the Shah's relatives. Some of the money went to purchase real estate in Oklahoma. Some went to the Shah's bank account of the Shah's brother-in-law, Air Force General Khazani. Last this he passed off as a small gift. This one operation, called Air Taxi, produced more than six hundred thousand dollars in take-off to General Khazani in only seven months.

This operation was, in fact, only one of several channels through which pay-offs by U.S. arms manufacturers gave "commissions" to the Shah's relatives. The total size of the entire skim is not yet known and perhaps will never be known unless there is a public investigation to get from American companies a full picture of their dealings with Iran and the Royal family. This would include not only arms manufacturers but banks and public relations firms hired to paint a picture of the Shah for the American public as a great and benevolent ruler.

It is just such an investigation which I urge that the House Banking Committee undertake. In so doing, we will take a giant

of Congressional hearings and I can personally attest with witnesses that this has been and remains the most viable possibility for securing release of the hostages.

Mr. Chairman, we are not talking about holding hearings to do any favors for the Iranians; we are talking about the need for hearings to protect the lives, limbs and security of Americans both at home and abroad—but it will also fortunately be a great factor to help the hostages.

Mrs. Bonnie Graves, the wife of one of the hostages has appealed to Congress for hearings. Hostages who were freed in November are also insisting that Congress take such action. Nearly five months have passed without hearings and without meaningful hearings beyond the routine State Department visits to Capitol Hill. Isn't it time for Congress to do something? Isn't it time to act rather than react? Let us not make the hostages suffer longer because of our reluctance to hold the necessary hearings to gain the needed truth and perspective to act wisely.

Columbus Mary McGarry on March 7 stated: "People will be asking why it is happened. Congressional inquiries will be held. The public will want to know why the President having first resisted the suggestion of Henry Kissinger and David Rockefeller, ultimately gave in and admitted the Shah for medical treatment that was obviously available elsewhere." Washington NBC newsmen Jim Vance on March 14 reported: "We have been deluged with over 300 hundred phone calls with 80% favorable to his suggestion that the American people are 'victims of a bundle' that began with the admission of the Shah to the U.S. for medical treatment."

The call for action is building—hopefully we can now respond.

"Thank you again for your continued interest in this very serious situation and your many thoughtful and courageous acts of accommodation. Hopefully, I have now pro-

cessional and kickbacks involving Iran. New evidence and indications which I have now outlined in this letter strongly indicate that the Iran crisis clearly reaches into the pocketbooks of the American consumer and taxpayer and jeopardizes his banking security. In the midst of our devastating economic crisis, we cannot afford the appearance of apathy over the deepening struggle of our own citizens to survive the financial hardships which our own government is imposing.

Can we again run the risk of ignoring where the evidence leads us? Much of the general public perceives that the Congress buried the Korean influence peddling because it was likely to expose members of Congress. Absence is in the process of being wrapped in a fog of technicalities and jurisdictional nitpicking, again to the frustration of the people. In this light our Committee must not hesitate to institute hearings to determine how compromised our banking system is in dangerous international loans and how deeply our major banks are involved in shaping national and international policy behind the scenes for their own purposes.

Even more dangerous to the credibility of the Congress would be the disclosure by another source, e.g. the U.N. Commission, the media or a government intelligence source of material on the Iran crisis which had been brought to the attention of the House Banking Committee earlier, only to be ignored there.

Mr. Chairman, where else but in the Banking Committee can the Iranian case be unraveled? Is there any other Committee with the staff expertise to fully understand the meaning of the complex transactions which make up the fabric of questionable financial transactions of such huge proportions?

A March 20th news dispatch from Panama City, Panama by Karen DeYoung of the

planning to deliver into many of the nations under Banking Committee jurisdiction. That in itself is good reason for our involvement since we have no control over evidentiary standards and anti-American bias in such investigating bodies. There is, therefore, an additional urgency for the commencement of a thorough and impartial investigation by the Congress and specifically by the Banking Committee of the House.

Beyond the fact that an investigation is preferable to an inquisition, there is the more pressing reason to initiate an investigation in the potential for mischief in the American banking system of huge deposits into U.S. banks by Middle Eastern oil companies. This has given us strong signals that there are serious dangers to the stability of our domestic banks in the volatile nature of these host accounts.

Added to these reasons, there is now little doubt that officials of the United States Government both while employed by the United States and in private capacities apparently did grave damage to American interests and security by acting in contravention of statutory prohibitions against kickback bonds of interest, representation of foreign governments, and in less than ethical manner even where statutes were not broken. The involvement of the highest echelon of government officials in the Iranian disaster demands attention. That these same officials have been intimately connected with big banking interests in the United States raises questions which simply cannot be swept aside. This crisis and the true dangers to our economic stability and national security must be promptly and effectively dealt with.

Such considerations of national interest demand of us that our serious transcend party politics as I have attempted to do in this letter. The credibility of the Congress and the governmental process could receive

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vided you the necessary means to proceed with Committee action.

Sincerely,
GORDON HANSEN,
Member of Congress.

WASHINGTON, D.C., March 14, 1980.—Congressman Gordon Hansen (R-Ia.) today sent the following telegram to President Carter strongly urging him to call for Congressional hearings on the Iran crisis as proposed today by President Abolmohsen Bani-Sadr.—Hearings which Hansen has advocated since he travelled to Iran in November to be the first Americans to see the hostages.

(Telegram)

Hon. JIMMY CARTER,
President of the United States,
The White House,
Washington, D.C.

• Dear Mr. President: Today's news reports that Iran President Bani-Sadr has again called for Congressional hearings to resolve misunderstandings. As you know, I have long recommended such an investigation. If Iran is willing to take the scrutiny, why can't we? What have we done that cannot be told in our own forum under our own rules?

I can personally attest to you with witness that such hearings could have brought the hostages home in November and may well be the key again with the election to-day of a new Parliament in Iran which Khomeini has charged with resolving the hostage situation. There is nothing more practical than a people-to-people effort—Congress to Congress—when the people of both nations are basically friendly.

Why should we misinterpret truth until the hostages are out when the truth can get them out?

Mr. President, I have accumulated massive information that cries out for responsible

It is unfortunate that the lapse of time has crystallized demands far beyond the fluid situation which existed in Iran in November when President Bani-Sadr, in the position of acting Foreign Minister, advised me in the presence of witnesses that hearings would bring hostage release.

A Thanksgiving Day endorsement of Congressional hearings by Bani-Sadr and the Revolutionary Council with the approval of the Ayatollah Khomeini (later reaffirmed by Foreign Minister Ehsanollah Oltchabadi) was made in the days following the initial release of thirteen hostages. U.S. rejection of these and hearings before the United Nations drove the conciliatory Bani-Sadr out of the Foreign Ministry and closed the door to any meaningful hostage release possibilities until Bani-Sadr returned to the scene as President with an overwhelming mandate from Iranian voters.

I am sure I need remind you how important it is that we do not again fail to take advantage of this opportunity for resolving U.S.-Iranian differences while the political strength of Bani-Sadr is at a maximum and the health of Khomeini assures the best possible unity of the diverse political elements in Iran.

However, because your political officers at the White House and State Department, lacking first person contact with Iranian officials, did not seem to really understand the situation in November, I would respectfully like to make the following suggestions regarding the additional publicly stated demands of Bani-Sadr in the event you have not already reached a mutual solution for securing release of the hostages.

Having been in Iran twice and continuing to maintain contact with key elements of that nation's leadership, I must tell you that President Bani-Sadr can only perform to the allowable limits of a fragmented and independent political situation. This means

volving members of the Shah's family to ask what was the extent and cost to American and Iranian citizens of such corruptions?

One only has to recall that the Shah's government started the price spiral for OPEC nations which raised the cost of gasoline and heating oil to citizens everywhere, to ask what part this may have contributed to excessive oil profiteering at the expense of both the American and Iranian people and the huge U.S. balance of payments deficits?

And one only has to recall the admitted fact that the CIA was involved in restoring the Shah to the throne in 1953 to ask the unhappy question of the extent of persecution, torture and violation of human rights by the Shah's Secret Police, SAVAK, and if the CIA was at all involved?

Congressional hearings are in order, Mr. President, to determine the truth for Americans and Iranians alike. In fact, such hearings are inevitable and have even begun with the Senate Banking Committee's review of the Teferson papers to the Shah's brother-in-law.

Why not tell Bani-Sadr the truth for the sake of the safe and timely release of the hostages, that we recognize many apparent unfortunate improprieties of the past and are proceeding with dispatch to:

(1) identify the areas and extent of wrongdoing by Americans, Iranians or anyone else; and

(2) to rectify injustice wherever it can be found.

That, of course, would commit you to request and support immediate Congressional hearings—committing the polls show Americans people now, later.

Such forthrightness as I have outlined in dealing with President Bani-Sadr's position can provide the proper spirit and basis for ending with dispatch the ordeal of the hostages in Iran and also revealing a disastrous foreign policy beset with wholesale attacks

investigation and consideration. This information is updated is again being brought to the attention of Congressional leaders on Monday.

After 130 days of crisis, it is time to stop making the hostages pay for our continued refusal to hold Congressional hearings. We have witnessed hearings on Watergate and Koreagate. We did not wait until World War II was over to find who slept at the White House. It took less than a week for Congress to open hearings on the politically explosive crisis over the U.S. vote in the United Nations regarding Israel and policies. Can that be more important than getting the truth on the Iran-Afghanistan arms-deal?

I again offer to assist you in bringing truth out of chaos and relief to the suffering. Congressional hearings are our best hope—your prompt endorsement is most necessary.

Sincerely,

OSCAR ELIASER,

Member of Congress.

HOUSE OF REPRESENTATIVES,

Washington, D.C., February 19, 1980.

Hon. Jimmy Carter,

President of the United States,

The White House, Washington, D.C.

Dear Mr. President: I commend you on your decision to agree to an international fact-finding commission to investigate Iranian grievances in order to move toward resolution of the hostage crisis.

The truth should not damage honorable persons or honorable governments and it can be helpful in establishing more meaningful and trusting relationships.

As you know, I have long advocated hearings and investigations in responsible forums to identify the facts regarding areas of failure in our Middle East policy and the many complaints and charges surrounding the U.S. relationship with the former Shah of Iran.

As you know, providing Iran and the Iranian people with proper agreement is reasonable request.

Your recent decision to not press economic sanctions against Iran and to allow an international investigation into Iran's grievances has greatly relieved the hostage situation and prepared the way for removing other differences.

In addition, Raul-Sadi has asked:

(1) that there be no U.S. interference in Iran's internal affairs.

That should be an easy assurance for us to make—why should we be interfering in their domestic politics?

He has also asked:

(2) that the United States not obstruct Iran's pursuit of the Shah.

Certainly, that is a far more reasonable request than the legally impossible demand that we return the Shah to Iran. And again, why should the United States interfere in Iran's relationship with other nations as it pertains to the Shah?

Finally, he has asked:

(3) for a condemnation of our past policies in Iran.

Certainly, Mr. President, we should not humiliate ourselves with expectations or policy actions which would dishonor our name and the sacrifices made by the hostages and their families.

However, there are many apparent irregularities in our relationship with Iran for the past years which can be honestly admitted and which should be immediately investigated by the Congress. The Iranian complaints of gross financial and human rights abuses by the Shah. Such abuses, if true, would have had considerable impact on Americans as well in terms of increased costs and national security.

One only has to recall the recently revealed Terrorism, Lockheed and Air Force financing and kickbacks of millions of dollars in-

on U.S. Embassy. I strongly urge you to seize the initiative for truth and justice by acting immediately.

Sincerely,

OSCAR ELIASER,

Member of Congress.

P.S. For your information, I attach a Feb. 17, 1980 article from the front page of the Washington Post which may be useful in a constructive review of the past and the possibilities for a successful mutual understanding with President Raul-Sadi.

HOUSE OF REPRESENTATIVES,

Washington, D.C., January 3, 1980.

Hon. Jimmy Carter,

President of the United States,

The White House,

Washington, D.C.

Dear Mr. President: I have just returned from my second unofficial visit to Iran where I found a more relaxed and hopeful climate than during my Thanksgiving trip.

While the situation remains distressingly disjuncted and uncertain, there are strong signs that part, if not all, of the Americans held hostage will be released very soon.

The Ministers of Iran's revolutionary government generally are excluded from any significant contact with the military controlling the American Embassy in Tehran and especially the hostages themselves. In fact, there is frustration that civil elections and authority can be so readily questioned by the military and concerns that the character and real goals of these ministries are not clearly understood.

This is now reflected in increasingly frequent statements questioning whether there is absolute loyalty to the Ayatollah Khomeini as originally believed or whether a dubious independence may be surfacing which may provide an unavoidable internal contribution to resolve the hostage problem.

Although there is evidence that foreign

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measures such as SAVAR, F.I.O. and Soviet influence may have been scrupulously avoided among the so-called students, there are rumors and some evidence that a leftist influence in the form of Maoism may be there. Congress subsequent to my return home now seem to recede allegiance to Khomai leadership but this does not wash away the continued self-identification by the militia with either leftist revolutionary causes in the world.

Otherwise, the Khomai government as envisioned by his own actions and those of his civil authorities seems to be a religious and nationalistic movement that denies any communist leanings, even going so far as to condemn Soviet aggression in Afghanistan. What is in evidence is a separation of church and state between the civil aspects of Government and the embassy situation focused at the top by Khomai himself.

With the pressure on Khomai by civil authorities to resolve the hostage matter so the government can return to normalcy and with the emerging uncertainty of the independent-minded militants complicated by the massive Soviet movement into neighboring Afghanistan, the Waldheim visit appears to be very timely for having maximum possibility of success.

As you must know, I have taken personal action into this crisis because orthodox measures had completely broken down and I strongly believe my efforts have been most productive without in any way detracting from the nation's goal which you have identified as putting immediate, safe and full return of American held hostages in Iran.

At a time when American diplomats were either locked up or locked out by Iranian officials and into the hostages, when I have opened doors into that country, when military confrontation was escalating rapidly, my initial visit showed that Iran was still a country basically friendly to the American

and public and commercial relations with other nations. This was touched on to some degree in the six-back scandals involving Lockheed and others but it appears that problems go much deeper and so should an investigation.

I respectfully challenge you to urge the Congress to pursue the allegations of financial abuses in Iran which may have damaged American taxpayers and consumers and the complaints of human rights abuses your Administration has continually voiced concerns for.

I am prepared to discuss the apparent irregularities which support need for serious and immediate investigation with you or whomever you care to designate. Certainly the critical question of how Americans could be taken hostage in light of avoidable circumstances should be a priority item the discussion of which might help us gain the earliest possible return of those fellow citizens held at the American Embassy in Iran.

The breaking of international law and violation of the basic rules of diplomatic immunity cannot be tolerated. Americans in foreign service must be protected and the mistreatment of Iran must not be repeated. Efforts can help assure this.

I am in touch with State Department officials to help in the opening of doors and the building of bridges to gain the earliest possible return of the hostages. I told Mr. Warren Christopher of the need for having a person in Iran, even unofficially, to look after the needs of the hostages and other overlooked embassy staffs of an emergency nature and the benefits which could be derived from direct governmental contact with the Iranian even if occasionally unofficial at first. My two visits have proved the need and value of this.

The contacts I have developed with Iranian officials have provided information not otherwise available which I continue to share

An outline of many of the most obvious questions and issues raised by the Iranian attack on our embassy is enclosed with this letter.

Of course, there will arise the cry that we must not seek to determine the facts in this matter until a much later time—a time, unfortunately, when the issues have been resolved and there is only a historic interest in them. There are two answers to such an objection.

First, if we fail to act now to determine the facts, the Congress and the people could well be asked to approve or support a course of action on the sketchiness of bases, which could dangerously affect our nation's well-being. The last four decades should have taught us the price of decisions based upon mere appearance.

Second, what differentiates the Iranian matter from problems concerning other nations currently under investigation? As you well know, there is already underway an investigation of price fixing by OPEC nations and the possibility of collusion with domestic oil firms. Our government has not hesitated in other cases to take the fastest steps in the midst of foreign upheavals. Consider, for example, our efforts in Chile and Rhodesia. Despite the danger of throwing both nations into the hands of violently anti-American regimes, we have not hesitated to interfere into their domestic affairs.

How can delay be justified? If we turn aside from a thorough inspection of the current crisis, will not our people conclude that there may be other reasons for refusing to look into the matter?

We are now told by the Ayatollah Khomeini, a figure high in the current Iranian government, that he has sent assassination squads throughout the world to seek out and destroy "opponents of the revolution." Dare we assume that this is an idle boast in view of the assassination of the archbishop of the

people and that the hostages might be released honorably without bloodshed. The vital importance of this is now even more evident with the rape of Afghanistan by the Soviets and the endangering of American and Western interests in the strategic Persian Gulf area. Iran can and must be preserved as a friend—something which can be done by an active recognition of our mutual needs and concerns.

I strongly agree with your desire for national unity at a time of crisis, but I hope this can be a unity of efforts and ideas, not just blind devotion to a lockstep cause called by an exclusive political cadre. It is as important that the input and assistance of Republicans, Independents and private American citizens be welcomed as the assistance of the United Nations, the World Court, the P.L.O. and other outside interests.

In this regard, as we witness attack after attack on American embassies and citizens throughout the world, it becomes vital that we review at once the history and circumstances which have brought us to these disastrous times. Congressional hearings should be called in the tradition of American openness and desire for truth and justice while the problems are with us, not after. Facts are more important in solutions than to historical perspective.

This nation did not wait until the end of World War II to identify culpability and circumstances involved in our being caught asleep at Pearl Harbor. We have not hesitated to take on the challenges of Watergate, Korea and other highly sensitive matters. Neither should we wait to provide the American people and ourselves the facts about problems which have made us so vulnerable in Iran and the whole Middle East area.

There is significant evidence that an "Iran-Gate" may be developing—a covering of huge financial and human rights abuses in Ameri-

cally. But there must be even stronger efforts to gain facts, provide action and get results for normalizing relations with Iran and securing the freedom and safety of Americans held there.

Sincerely yours,
 GEORGE HANSEN,
 Member of Congress.

Letter to Chairman of Various Appropriate Committees

GEORGE HANSEN,
 Washington, D.C., December 11, 1980.

The matter of the crisis in Iran has engaged the attention and concern of the entire world. All of us have been riveted by the danger to American Embassy personnel being held hostage. The entire nation gives priority to their safe return.

Beyond the immediate danger to our Foreign Service employees, there is an equally pressing crisis in the government of the United States which the matter in Iran has served to emphasize in a most painful and public way.

The original of the confrontation between Iran and the United States, the manner of its handling, the cost of our national prestige and the grave question of the motivations and competence of the principal participants in the crisis all require factual examination and even-handed judgment by those responsible to and for the nation.

The Congress in the past has not hesitated to launch needed investigations even during a crisis period as grave as World War II when the responsibility for the military disaster at Pearl Harbor was subjected to Congressional scrutiny. Therefore, without in any way interfering with the efforts of the Executive to secure the safe release of the hostages, I urge you to immediately convene a hearing to examine facts and draw conclusions about those aspects of this matter which fall within the jurisdiction of your committee.

Shah in Paris only a few days ago? Does the threat reach to people residing in our own country, men to elected and appointed officials of the United States?

It is my view that the Congress, not only does not have the right to ignore the dimensions of this crisis but it has the overriding responsibility to independently review the serious questions which have been raised. Congress has the precedent and sufficient grounds to undertake a thorough review of the history of our relations with Iran over the past thirty years and those decisions which have led this nation to the precarious situation we find ourselves in today.

Your committee is crucial to a full and proper review and I respectfully urge that investigative action be undertaken immediately.

Sincerely,
 GEORGE HANSEN,
 Member of Congress.

OUTLINE OF SERIOUS ISSUES RAISED BY IRANIAN CRISIS

The people of the United States demand to know how and why the Iranian captivity developed. There is no securing the violation of international law and human rights by the government and people of Iran. However, explanations by our own government regarding arbitrary decisions causing great risk to American lives and property have been contradictory and confusing, creating a serious need for hard facts and basic truth.

For example, there is now no doubt, both through admissions by government officials and by disclosures made by private individuals that our State Department precipitated the invasion of the United States Embassy in Iran without any other fact, the serious consequences for the personnel now held hostage in the Tehran embassy and for our nation itself warrant a full and immediate investigation to determine responsibility.

March 26, 1980

for the summer and to insure that failure both of intelligence and of the response of available intelligence shall not recur. And there are many other issues of similar grave concern.

There is good reason to believe that the mere fact that Congress will begin to investigate these matters would have a positive impact on the resolution of the Iranian crisis. The American people will not tolerate either a cover-up or a kangaroo court on issues involved in this crisis. To prevent misuse of justice and assure objectivity, it is critical that concerned committees of Congress exercise their investigative responsibilities in a broad range of questions, the more obvious of which are the following:

On the crisis itself—

1. Who made the decision to admit the Shah into the United States ignoring both the advice the intelligence community and internal elements of the State Department itself, regarding the high risk of invasion of the Tehran embassy and the kidnapping of the personnel stationed there?

2. Why was such a decision made without prior strengthening of security forces or even a temporary closing of the embassy?

3. Why were existing security forces not authorized to use available force to protect the embassy?

4. What benefits from the Shah's entry into the United States counterbalances the resultant physical danger to embassy personnel, severities of embassy property, compromising state secrets and endangering terrorist attacks against American embassies elsewhere in the world?

On the handling of the crisis—

1. Since diplomatic relations have not been severed, why, in the five weeks since the capture of the embassy, has there not been any apparent official contact between the government of the United States and any official of the government of Iran?

Let us rampant inflation all for the benefit of a few big banks and oil companies?

4. Because of all the damage done to American interests by the Iran crisis, how can we be assured of the future security of American personnel and property in foreign lands?

We can no longer pacify and silence the American people by simplistic appeals to national unity. Many of our citizens have lived through World War II, the Korean War and the Vietnam War. We are disillusioned with rash foreign policy decisions which endanger the nation for the sake of some imagined benefit which too often turns out to be more real, less acceptable reason.

Having seen the nation tackle several and controversial investigations into Watergate and Koreagate, Americans are not about to be told that it is unpatriotic or untimely to look into the matter of how the lives of the hostages and perhaps even the citizens of the whole nation were endangered by decisions regarding the Shah of Iran.

On other questions regarding the crisis—

1. Has the United States been running a Lockheed-type kickback operation in Iran? Has the Shah's own nephew been involved in the Lockheed scandal?

2. How can domestic oil profiteering be labelled wrong with investigations and penalties, but the role of a nation like Iran in boosting OPEC prices be overlooked?

3. How can we disrupt friendly relations with South American nations over their alleged human rights violations, but refuse to look at the record of Iran?

4. How can it be proper to investigate foreign currency deals by the Franklin National Bank, but unreasonable to see how major American banks sit idle the handling of Iran over the last 28 years?

5. Why can the CIA generally be fair game for investigation and even emascu-

Central American governments, which influences in the Western Pacific and even set up an "official" relationship with Taiwan. Why are they soupid or disinterested regarding Iran?

11. Why has a State Department which has asked repeatedly how it got into Iran and in to see the hostages, continually lobbied to keep Congress inactive and in a support role to inactivity?

JACK ANDERSON CONT.

THE WASHINGTON POST

Monday, March 24, 1980

Among the most serious charges in the explosive report are these:

• President Carter provoked the seizure of our embassy in Tehran by letting the exiled shah Mohammad Reza Pahlavi into the United States, despite clear and repeated warnings that such action could lead to the taking of American hostages.

• The banking community, particularly David Rockefeller of Chase Manhattan, played a key role in getting the shah admitted. The report suggests that Chase Manhattan deliberately set up the confrontation so that it could keep the Iranian government from withdrawing billions in oil revenue from its account at the bank.

• Former secretary of state William Rogers may have violated federal con-

ward admitting the shah until we have obtained and tested a new and substantially more effective guard force at the embassy."

Hansen suggests, from evidence of other documents, that admission of the shah was not the result of a medical emergency, as the administration claimed, but was probably long and carefully planned.

In discussing the pressure from Chase Manhattan and the Rockefeller's henchman, Henry Kissinger, the report notes that under the shah, Iran's oil revenues were deposited with Chase Manhattan to the tune of \$20 billion a year. But the revolutionary Iranian government began to withdraw its funds—a potentially serious "run" on the bank.

While Hansen stops short of accusing Chase Manhattan of engineering the hostage situation, he does point out that Carter's response—freezing Iranian assets in U.S. banks—prevented further withdrawals from the Rockefeller bank and ultimately allowed Chase Manhattan to seize the Iranian funds.

ous oil price rise in 1973, but "held back to accommodate the shah—an incredible favor worth untold billions" to the monarch. Hansen also describes how Kissinger and his current employer, Chase Manhattan Bank Chairman David Rockefeller, pressured President Carter to let the shah into this country last October despite clear warnings that American personnel in Tehran might be taken hostage as a result.

Some of Hansen's more serious revelations concern Kissinger's predecessor, Rogers. For example:

• Within three months after he resigned from office, Rogers turned up as director of the shah's Pahlavi Foundation and appeared as "the attorney of record for the shah's relatives and his bank, the Bank of Omran." There was at the time, Hansen notes, a statute that made it a criminal offense to act within one year of leaving the government "on behalf of anyone other than the United States in any manner which was within one's jurisdiction as a government officer." Rogers "appears to have forgotten the conflict statute," Hansen observed.

• According to officials of the Pahlavi Foundation, whose only asset in this country was an office building on Fifth Avenue in New York, Rogers and his law firm were paid \$35,000 a month for legal services—a total of more than \$1 million. Hansen reports: "A legitimate question arises of whether the foundation was merely a conduit to pay the legal fees for

THE WASHINGTON POST

Tuesday, March 25, 1980

... Hansen's conclusions tend to confirm stories I have been reporting since 1974. Numerous high officials—including former president Nixon, former secretaries of state Henry Kissinger and William Rogers and former CIA director Richard Helms—lavishly kowtowed to the shah. actively helped build Iran into a military power and stood by while the royal dictator pushed oil prices into the stratosphere.

The favors they received in turn from the occupant of the Peacock Throne came perilously close to bribery in some cases.

... Indeed, he claims to have evidence that prompt congressional hearings could have brought the hostages home last November.

The two committee chairmen Hansen reported to—Reps. Edward Boland (D-Mass.) and Henry Reuss (D-Wis.)—are tough-minded and independent enough to pursue the requested inquiries no matter how high the embarrassment reaches. And Hansen's evidence suggests that it reaches to the top levels of Washington officialdom.

The shah's affinity for former secretaries of state is detailed in several parts of Hansen's report. Hansen quotes at length from my column of Dec. 10, 1979, charging that Kissinger could have dissuaded the shah from leading the run-

services of the Rogers firm to members of the royal family," Hansen concluded. Furthermore, Hansen notes, "I can find no evidence that either Mr. Rogers or his firm registered as agents for a foreign government" while representing the Pahlavi Foundation and the shah, as required by law.

• Finally, Hansen charges that Rogers may have played "a major part in a series of events" that eventually led to the fateful decision to admit the shah to the United States.

I have some additional evidence that I've voluntarily shared with Hansen. In June 1974, I was tracking down rumors that the shah had given large sums of money to the Nixon reelection campaign. Out of nowhere, Rogers called me and categorically denied the story.

Then Rogers' law firm followed up with a telegram stating the firm had been "retained by the embassy of Iran" to communicate with me on the Nixon shah story. This too, was less than a year after Rogers' departure from government in September 1973.

My associates Joe Spear and Gary Cohn called Rogers' office three times for comment on Hansen's charges, but were told he was too busy to talk. On request, they put their inquiries in writing, but had received no response by the time I went to press. In the past, Rogers denied any conflict of interest, insisting that he handled only "real estate work" for the shah's foundation.

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United States
of America

CONGRESSIONAL RECORD

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, FIRST SESSION

Vol. 125 WASHINGTON, WEDNESDAY, DECEMBER 5, 1979 No. 172

HANSEN'S IRAN TRIP

SPEAKER pro tempore. Under a previous order of the House the gentleman from Idaho (Mr. Hansen) is recognized for 60 minutes.

HANSEN. Mr. Speaker, 32 days now elapsed since the Americans in Embassy in Tehran were taken free, something which has caused a national crisis and international circumstances leading to the doorstep of There is a vacuum in Tehran where is no free American with any authority whatsoever, official or unofficial, to look in on the hostages. The State Department is locked up there, and unfortunately they also seem to be locked

have had, on two occasions, mid-level officers of the State Department at office for some debriefing. However, to tell my colleagues that even though many Members of Congress, including some in the leadership, have asked that certain people in the

Mr. MONDALÉ, our Vice President, said today that no outside observers have been allowed to see the hostages for 10 days, that neither have there been international observers allowed in. In fact, there has been no one except Iranians to see the hostages besides myself since the first 4 days when four Ambassadors gained access.

This is why I went. Someone had to do something. I went through normal channels, and I got there. It can be done. For a Government innovative enough to establish a nongovernmental or unofficial relationship with the Government of Taiwan, it seems we have not been very imaginative in establishing a relationship to begin a dialog with the Government of Iran.

For those of you who wonder what I accomplished, I would like to lay it out.

First, my visit gave comfort to the hostages and to their families, and certainly I have not had any complaints from them for what I did.

Second, I did gain useful intelligence.

They are very much in support of doing something to peacefully resolve this problem and bring the hostages home safely. They are very much looking toward helping the Congress accumulate facts and information as it looks into the matter of charges against the Shah and other issues as was done in the Korean situation and like problems.

Also, my dialog with my fellow Congressmen, both in general bipartisan meetings and also in structured meetings, has been favorable. There is good understanding. I have generally received nothing but enthusiasm for my mission of mercy to see the American hostages, and at least demonstrate that somebody could and would do something.

Mr. SYMMES. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I yield to my colleague from Idaho.

Mr. SYMMES. Mr. Speaker, I thank my colleague from Idaho for yielding. I would like to commend the gentleman for his courage, and tell him that I welcome his return, and I am happy that he returned safely here to be back in

Heran's courage in my State, not only on his efforts to make the trip to Tehran, but also on many other things which he has put up a tremendous fight here in this country for the people of the United States.

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Mr. Speaker, at this time I ask unanimous consent to include in the Record the report from the Paris Le Monde in France on November 27, 1939. This is an article by Eric Rouleau, who is the top correspondent for the Paris Le Monde newspaper from the Middle East on his reporting on how Congressman Hansen's trip was received in Europe. I think it might be very interesting for the benefit of our colleagues and for those people down here to read what the European and Congressional press trip to Europe. I found it most enlightening to read through this. I ask unanimous consent to include this in the Record at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The article is as follows:

From the Paris Le Monde, Nov. 27, 1939
THE UNITED STATES AND THE HANSEN CRISIS
Congressman Hansen's trip to Europe
... By Eric Rouleau
... has won fame and even popularity in a country which is expecting a U.S. "attack" at any time. Republican Congressman George Hansen has succeeded in painting a different picture of the United States—

President, UTT correspondent, Edwin Smith is Canadian, and Le Monde's "old enemy, Eric Frazier is regarded as "outside the competition," as alone were allowed to attend the interview which Mr. Hansen was to have with his hosts.

The American at behind a table, while one of the Islamic student leaders, whose struggle's name is Ibrahim. The two young women sitting as interpreters formed a strange contrast. One, who studied in the United States, had a Western face, and a dress to the traditional way with a head scarf covering her head and surrounding her face. The other, a former pupil at Tehran's American school, could have been the "lover girl" of an American fashion magazine. She sat at the table wearing a sly red suit with cowboy boots.

The U.S. Congressman looked round at the "walla posters" declare in English that the Iranian "disturbance" between the "brave" and "just" Islamic people and the "evil" "government" and that they fear "neither military intervention nor economic blockade." Suddenly, floodlights installed in the room were switched on and two razzias started to run. An Iranian Arabian team "was" ...

Mr. Hansen protested, pointing out to his interpreter that to be fruitful, the conversation should be confidential. "No," Ibrahim replied. "The Arabian Revolution has been declared. It is a matter of public." "In the name of merciful God you have before you ladies and gentlemen, a representative of the American people who is here to bring you the news of the American people and the truth in the poverty of our rural districts and on the tomb of our martyrs." The student continued grimly.

a few dozen meters further and challenged by a young man whom, with a hurried gaze and in a voice thick with emotion, said to him in English: "My brother and sister were assassinated by the Shah. You are protecting that criminal." Mr. Hansen, smilingly while holding hands with his hosts, said: "I would like to point out that the first question I was asked in my efforts to see

Suddenly, within a few seconds, the demonstrators sat down on the sidewalk at the American's feet surrounding him on all sides. They demanded to know what he was coming to do in act as interpreter, and a microphone appeared out of thin air. These followed a lively but friendly dialog between the poor people of Tehran and the representative of spiritual American. The situation was a very interesting one.

Mr. Hansen, who was due to return to Washington Monday morning, has decided to delay his departure for a few days to try to achieve a political "opening." Another American, former ambassador to Iran, who had been in Tehran since Sunday morning with similar ambitions. He was received that same evening by Mr. Ben Sadr, to whom he described the "state of fury" which is sweeping America. "I told us," he said, "that I was coming to Iran to cry for vengeance and demanding military intervention by President Carter. Nobody rules out a war which would be catastrophic both for the Iranians and for us. It is vital to build a bridge between the two peoples. It is a psychological as much as a political and psychological as it is political. Will there be time to bridge it?"

Mr. Hansen, I thank the gentleman from Idaho, my colleague, for his kind remarks. He has been most constructive in his efforts during this crisis. I would like to point out that the first question I was asked in my efforts to see

government which is badly fragmented. In our own case we have three parts to our Government, which although better structured, often cause people not to understand how we operate at times, particularly in foreign affairs. But I think it is important for people to know that I did not go there to negotiate; I went there on a mission of mercy. I went there to converse to see if there were places we could open doors and build bridges.

I might mention I found things of great concern when I was there. The very fact that the Iranian people seem to feel that the Shah was imposed by us on them in the 1950's and ran roughshod over them. When they finally threw him out, our efforts to bring him back into this country were looked upon as possibly another attempt to place the Shah back upon them.

Many people feel very strongly that the Shah abused the people of Iran in terms of absconding with finances and in terms of human rights, so the feelings run high. This is not certainly to condemn the actions that Iranians took in attacking this American Embassy and taking hostages, because that, of course, is a crime. It is a violation of international law, and no one can tolerate it.

But I think someone has to ask the question in this country: Why, in the face of overwhelming evidence, particularly at the intelligence level in the Department of State, when it was known that if the Shah were to come to the United States there would be riots in Iran and attack on our Embassy and hostage-taking, why did we bring the Shah into this country? That question has to be an-

among the private citizenry, and even among the Iranians themselves, said, "We are glad somebody is finally here, official or unofficial." There was a vacuum when I went there; there is a vacuum there now; and the Department of State is still trying to figure out how to get in. There is no magic about it. If they can do what they did in Taiwan, if they can work an unofficial relationship with that Government, they can do it here.

The reason I went over is because the Iranians had two things going. They were opposed to our Government—to President Carter, not the American people. They are friendly to the people of the United States. Under these circumstances I thought, well, maybe the people can go in and talk, or someone who talks for the people as an individual can get in and see what can be done. This is what I did.

Since I have returned, in a week's period, I have seen no action to give relief to the families of the hostages, no real helpful action. When I saw the hostages, I was able to do something that had not been done before, because I was followed by TV cameras from the Iranian television network. They took pictures of the 19 or so hostages I saw. The cameras were rolling. When I came back, I assumed that if our intelligence people were on the ball, they would then get it from the TV networks who got it from the Iranian network, get the pictures so that the families could identify those loved ones that I had the opportunity to see. But no, nothing apparently has been done. I cannot find that anything has been done in

thousands of miles away can put us on a dangerous course and we need the most direct input possible.

I do not know if there are people in this country who really want to provoke this crisis to a point of war, but I must caution you that what we are talking about is confrontation with a fairly large nation having vast resources, with a lot of military given to them by our own Government—a country in an area where there are many other nations with elements hostile to the United States. Embassies are being attacked almost daily and people are being killed. There are combined hundreds of millions of people and a threat to a considerable amount of resources that would be most disruptive to us and to Western Europe. And this is all on the doorstep of the Soviet Union.

This is Armageddon territory. It has World War III possibilities, and it seems that if we do not want to find ourselves in a fight of this proportion over an argument of where a deposed ruler, the Shah, gets his medical treatment—something so flimsy as that—we had better start talking. It seems that somebody had better start getting better intelligence. If some of our key officials are as reluctant to talk to others as they have been to me, then we are in for trouble, because we are operating dangerously in the dark.

I challenge Members of this body, and the administration to insist that they get the intelligence that is available from people who have been there, and even American citizens who are still there,

needed. Immediately when we sent the message to the Shah, we sent him on to take care of a high-level medical problem there. It seems there could have been another way to handle the Shah to avoid this confrontation. And if we did not want to be intimidated by the Iranians and still wanted to bring the Shah in, then to protect our people why did we not close the Embassy and bring them home? And a force in that could protect them.

It seems to me that there was no arbitrary decision. In the face of all the intelligence that existed, to bring the Shah into this country without protecting our employees in that area of the world, and also our other citizens, committed a very grievous error and they ought to be held accountable. That I think is something that has to be answered to me, whether whether there is a crisis or not.

Beyond this, I think we tried to do what we can to gain release of the hostages. I am here today to very severely criticize what has been happening, because before I left, I felt there was not enough being done to resolve the problem, not enough being done to take care of the hostages. And now that I am back, I find that the situation has changed very much. I have been here a week.

It has been 10 days since I saw the hostages. The Vice President himself has said that no one has seen them since. Was there? Yet who is making an effort to get in on the ground floor in Iran?

When I went there, it was very interesting because many people in the press,

this regard.

To protect and help the hostages and assist the State Department, something of this nature needs to be done. They need to know that these people look like so they can better understand the problems, whether they are hostages or not, or what their health is. Certainly could be of value to the families themselves.

This kind of dereliction of responsibility, to me, is inexcusable, and that is just one example of what has been going on or not going on. It has taken several days to even get a list put together and the people could sit down and look at a list from so that we can identify people with certainty, and see what the circumstances are with them so that concerned relatives can be notified.

More than that, there are a number of things that I have learned about how the Government of Iran operates, and I had to learn this in order to get in to see the hostages. The fact that there are three independent entities, and that the students themselves are so very independent, they are not always good reason to believe that they will happen when he speaks if they do not want to do.

These are matters which need to be given to the people directing our own policymaking process. If they will not sit down and learn from someone who has been there and dealt directly with this, then our government, how can they expect to make effective policy. Second-hand information from oblique sources

even people in the news media who are concerned enough about the problems of peace to give their observations.

There are a number of sources where they could get information and I have no reason to believe that there is an adequate collection going on.

There is obviously a lot to do that is not yet being done. I would like to hope that the State Department are comfort to the hostages and to their families. In the effect that the State Department, the administration, the Congress of the United States, and the people of the United States really care. This is important, and the only way they can have that comfort is if we act like we care and if we demonstrate we care by those things that we do. I plan to continue to make an effort to fill in where things are not being done. I need you and I need me money; it may cost you and I need American compound and saw the first face as it turned around from a look of dejection and despair into an expression of joy, with the eyes lighting up. I can tell you it was worth every dime and every minute that was spent, and a lot more.

And I felt the same way when I saw each of the others as I went through. Believe me, there is a lot to be gained just from the heart, just from the human interest of it all but more importantly for the confidence of fellow Americans who are serving not only in Iran but in future times in any other part of the world. We have got to do our job better or who in the world are we going to let do better. This great Nation is not going to let.

HON. GEORGE HANSEN

OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 5, 1979

• Mr. HANSEN. Mr. Speaker, there has been a great deal of speculation about the circumstances behind this current crisis. Perhaps this version supplied by "The Rug Times" of December 1, 1978, is closest to this popular understanding. Certainly it is food for thought pending any better explanation. The article originally by W. S. Gilbert from "H.M.S. Pinafore" follows:

AYATOLLAH TOO GO

(A Fable)

Once upon a time, a Shah of Iran was deposed by religious fanatics led by a vengeful leader, who even looked like the wrath of God. The Shah fled to Mexico, but not before he had transferred between \$10 and \$25 billion to foreign countries. Most of the funds were administered by the Chase Manhattan Bank, an institution controlled by David Rockefeller, the same fellow who organized the Trilateral Commission to make the world safe for international banking.

Some years prior to this, the President of Coca-Cola had introduced a lame duck Georgia Governor, better known as a peanut farmer, to Mr. Rockefeller. For reasons best known to himself, Rockefeller invited Governor Jimmy to become a member of the Trilateral Commission, an elite group of the multinational powers that be, including politicians, multinational corporation heads and bankers, and they made him a star. They gave him his foreign policy training, and by sheer coincidence, he suddenly became President of the United States. The Trilateralists provided all the advisors that he needed to assist the Trilateral Commission in making the world safe for international banking. From their ranks came Brezhnevski, Blumenthal, Vance and a lot of other interesting people.

But back to the present. When the Shah became sick, Rockefeller, the Trilateralist John J. McCloy, and the Trilateralist Henry Kissinger, a \$125,000-a-year Rockefeller employee, petitioned Mr. Vance, now Secretary of State under the Shah, to admit the Shah to the United States for treatment. The charge d'affaires of the Teheran embassy warned all concerned that this could result in retaliatory moves against embassy personnel, but the Shah was brought here anyway—for "humanitarian reasons."

Why would they do such a stupid thing? Well, at stake were \$10 to \$25 billion being managed by the Chase Manhattan Bank. There might be complications if we had a dead Shah. Also, Chase Manhattan Bank had made large loans to Iran when the Shah was calling the shots, and the Ayatollah had threatened to renege on those loans.

Sure enough, the Shah's U.S. trip precipitated the expected attack on the embassy and the seizure of American personnel as hostages, so Jimmy froze the funds of the Iran government, and allowed the banks, including Chase Manhattan, to "defect" the Iranian loans. Some banks didn't get in on this gravy train, however, because they were not on the inside. They had loans to Iran also, but no committing CDS and, of course, the freeze will probably trigger the loan default that was feared in the first place. Now, do you understand the relationship between Mr. Carter, the banks, the Shah, and the Shah's money, to say nothing of all that wonderful Iranian light crude?

After all, what are the lives of sixty-two embassy employees compared to \$25 billion? It's only a fable. When the fanatic school across hostages (an act of war), we have all the justification we need to seize the Iranian oil fields, which, of course, benefits the Rockefeller oil interests also.

The moral to this story is that the Rockefeller oil interests are the real power behind the Iranian crisis.

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OPERATION, LITERALLY EYES ONLY FOR CHARGE BAINBRIDGE

1. 112522: RDS-3, 7/25/79 (TAS/DPZ, PETER)

FROM THE SECRETARY

TAGS: RDS-3

SUBJECT: SHAR'S INTENT TO RESIDE IN THE U.S.

1. WE ARE AGAIN CONSIDERING HOW TO RESPOND TO THE SHAR'S CONTINUING OFFER TO US THROUGH VARIOUS CHANNELS REGARDING ESTABLISHING RESIDENCE FOR HIMSELF, THE SHARBAOON, AND HIS FAMILY IN THE U.S. (HE CAN REMAIN IN MEXICO AT LEAST THROUGH OCTOBER.) I WOULD LIKE TO HAVE YOUR PERSONAL AND PRIVATE ESTIMATION OF THE EFFECT OF SUCH A MOVE ON THE SAFETY OF AMERICANS IN IRAN (ESPECIALLY THE OFFICIAL AMERICANS IN THE COMPOUND) AS WELL AS ON OUR RELATIONS WITH THE GOVERNMENT OF IRAN.

2. WOULD YOUR ANSWER TO THE QUESTION POSED IN PARA 1 BE DIFFERENT IF (A) THE SHAR RENOUNCED HIS CLAIM AND THAT OF HIS WIFE TO THE THRONE, OR (B) THAT HE AGREED TO FORESWEAR POLITICAL ACTIVITIES OF ANY SORT AND THAT THIS BE CONFIRMED PUBLICLY.

3. WE CLEARLY UNDERSTAND THAT THE KEY TO MINIMIZING THE IMPACT OF THE SHAR'S RESIDENCE WOULD BE IN CATERING AND THE GOVERNMENT'S WILLINGNESS AND ABILITY TO SUCH A SITUATION TO CONTROL AND CONTROL THE SITUATION. WE WOULD LIKE TO MINIMIZE ANY HOSTILE PUBLIC REACTION AGAINST OUR PEOPLE OR OUR RELATIONS.

SINCE THIS QUESTION IS BEING VERY CLOSELY HELD IN WASHINGTON, I WOULD APPRECIATE YOUR NOT SHARING THIS MESSAGE WITH ANYONE ELSE ON YOUR STAFF. PLEASE SEND YOUR FINAL RESPONSE/OPERATION, FOR THE SECRETARY. WITH BEST REGARDS.

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C O N F I D E N T I A L

NEGOTIATING THE "IRANIAN CRISIS"

By: HERBERT A. COHEN
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and the F.B.I. in Hostage
and Terrorist Negotiations

SUBMITTED TO STATE DEPT.
SATURDAY - NOV 24, 1979

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I. THE CARTER ADMINISTRATION'S OBJECTIVES

1. Secure the safe release of all the hostages held in Iran.
2. Preserve the United States' reputation in terms of Prestige and Power.
3. Insure respect for International Law - - i.e., the concept of Diplomatic Immunity.

II. THE NEEDS OF KHOMENI AND THE REVOLUTIONARY COUNCIL

1. To unify their divided country around a central popular issue.

By the end of October it was evident that the revolution had gone sour. Disaffection had been mounting among secular elements in Teheran and "the movement" was unable to deal with its real problems:

- . Excommunication of middle class that helped topple the Shah - - leaving only the mullahs and downtrodden poor as a constituency.
- . Kurdish independence movement.
- . Problems with Iraq and Saddam Hussein.
 - Renounced 1975 treaty
 - Abduction of Iraq Ambassador
- . Barzagan and cabinet dissatisfaction with long-awaited constitution.
- . Arab discontent in Khuzistan Oil Fields.
- . Economy in shambles.
 - Food shortages
 - Lack of medical supplies
 - Scarcity of refined heating oil

Therefore, the need to unify disparate groups around a central issue to divert their attention from the immediate problems. And, this unifying diversion is the SHAH.

2. To Have a Contest of Wills with the United States to Influence Others

Khomeini and the Revolutionary Council need to take on the United States to whip up emotions and use this opportunity to export their ideas of fundamentalism to all of Islam's half billion adherents.

Examples of this are in evidence from the Teheran banner which proclaims "Khomeini fights - - America trembles" to the Ayatollah's own words, "This is not a struggle between the United States and Iran. It is a struggle between Islam and blasphemy".

3. To Gain a Victory for their "Moral Absolutism" to keep the Cultural Revolution rolling.

There are members on the Revolutionary Council who believe that their Islamic Revolution still has a long way to go. They must revitalize the flagging spirits of their supporters and make sure that power does not drift back into the hands of the secularists. Like China's Cultural Revolution, they must keep things stirred-up to bring their unfinished revolution to a new phase.

We can expect that this frenzied psychodrama will be maintained through November 29th as Moslems observe MOHARRAN, and, obviously, until Khomeini gets the referendum vote on the new Constitution scheduled for December 2nd.

III. STRATEGY TO ACHIEVE OUR OBJECTIVES

1. MOBILIZE WORLD OPINION

The issue must be broadened from Iran versus the United States and a contest of wills to Iran versus the World on the matter of International Law.

We must increase the psychological pressure on Iran by heightening its sense of isolation in the world. In essence we must try to have the responsible world communities draw a line around Iran.

A. Diplomatic Pressure

The issue is International Anarchy which should concern all civilized nations.

- . Press for a diplomatic boycott of Iran (or at least the reduction of representation) as long as the crisis lasts.
- . Urge American Allies to reduce their economic involvement in Iran.
- . Continue to encourage all Nations to communicate with Teheran regarding the breach of International Law.
- . Ultimately, begin discussions with Western Nations about the possibility of a commercial boycott of Iran's imports and exports.
- . Leverage must be applied to Iran by the Third World Nations (especially Kuwait, Algeria, Turkey and Pakistan) as well as the Soviet Union and Saudi Arabia.

B. World's Moslem Nations and Religious Leaders

- . Encourage statements by the World's Moslem Nations that Khomeni does not speak for their faith. The word "Ayotallah" means "a reflection of Allah", but this behavior is bringing their religion into disrepute.
- . Contact Islamic Mullahs throughout the world to send the message to Khomeni that, "the holding of these innocent hostages is something the Shah would do and that he is giving Allah a bad name".
- . Moslem Leaders must remind Khomeni that their tradition requires safe treatment of the hostages and to harm them would be against his own teachings.
- . All Moslem religious leaders must make contact with their Iranian counterparts to remind them of the Koranic injunction: "No soul shall bear another's burden".

The stand taken by the Arab nations is very important. Up until now Iran has been disappointed by their lack of moral support. Ayotollah Hussein Ali Montazeri even publicly attacked them for their "passive attitude toward the American imperialist campaign against Iran".

C. International Forums

- . The U.S. should appeal this illegal seizure to the International Court of Justice at the Hague. Although

this may take time, the Court can enjoin the Iranian Government from their continued violation of a foreign embassy on its soil.

- . Bring this matter before the United Nations General Assembly or Security Council via an Emergency Session as a clear violation of the 1st principle of the U.N. Charter - - that force or threat of force should not be used to achieve National Political objectives. One matter that we can get world agreement is the narrow issue of the safety and sanctity of Embassies. This specific issue can be voted on in a formal resolution rather than a consensus resolution.

The use of International Forums will provide us with the additional benefit of making contacts with current members of the Iranian Government. No matter how we try to narrow the discussion to the hostages, it will still give Iran the chance to give public vent to their fury against the Shah and the U.S. Even this limited publicity may serve to meet the needs of the Iranians.

2. ACTION BY THE PRESIDENT

Up until now President Carter has been leading us through the Iranian Crisis with admirable restraint and patience. However, for good or evil, this situation has awakened Americans from the "trauma of Viet Nam", and in the coming weeks he will be under intense pressure (especially if trials are actually held) to

maintain the commitment of politicians and the American people.

Our President must be seen as doing something to gain the release of the hostages without sacrificing our principles.

If Americans perceive this Administration as "doing nothing", individuals and groups will break ranks and some may even take reckless action on their own.

In essence, this Administration has two inter-related problems:

- A. Maintaining the national resolve and solid commitment behind our Spokesman and Sole Negotiator - - President Carter.
- B. Taking action which will bring pressure on Iran so that we can achieve our objectives.

A. Maintaining National Commitment

There is ample evidence to support the statement that Khomeni and his associates have been attempting to appeal to and divide the American people to put pressure on President Carter:

- . On Sunday, November 18th, they paid \$18,250 to print a full page ad in the N.Y. Times.
- . The Ayotollah's granting of interview to the three major T.V. Networks. The time allocated was even in accordance with their ratings.
- . On November 22nd, the Ministry of National Guidance sponsored a lunch for the entire foreign press corps and showed a propaganda film about Iran.

- . Bani Sadr, their Acting Foreign Minister, is planning a Seminar for foreign correspondents, at which time evidence against the Shah will be presented.
- . The Draconian Press restrictions formerly in existence have been suspended since the hostage-taking.
- . The relatively cordial welcome and courtesies extended to Congressman Hansen, Republican of Idaho.
- . On Tuesday, November 20th the Associated Press, which was expelled from Iran in September, was allowed to open a bureau office in Teheran.
- . The Ayotollah's version of "affirmative action" where he releases the women and blacks.
- . The staging of the release of some of the hostages replete with banners, chanting and full media coverage.

At this point, it is important that the President appear before the American people on T.V. to explain our position and ask for their patience and support. President Carter must reiterate our resolve that the Shah will not be sent back as it would dishonor our country and that giving into blackmail and terrorism would only invite further episodes of this type.

We must remember that "it takes time to get used to a new idea". By having everyone in this Administration repeating that the Shah will not be extradited and saying it over and over again, it will reduce the expectation level on the part of the Iranians.

B. Presidential Action

The one element that the Iranians perceive they have going for them in this negotiation is "Time". They are counting on the lack of patience that Americans exhibit and our tendency to eliminate ambiguity by "getting it over with". Therefore, it is important that we "Do not abandon mature design to gratify our momentary passion", and at the same time put pressure on them so that they begin to feel their own "deadline".

In all negotiations, concession behavior will not occur until the approach of the deadline, so we must go back to the use of time and resume our graduated response and the use of incremental leverage. This Presidential action will make Iran feel the pressure of time and also help maintain the commitment of the nation as we pursue our negotiation objectives.

Thus far our government has taken the following action in dealing with this crisis:

1. Stopped military parts shipments
2. Halted Iranian oil imports
3. Established procedures for registration of Iranians with the INS

4. Frozen Iranian assets of Central Bank of Iran
5. Halted training of Iranian Military Officers

What is suggested is that we continue this "graduated response" while always remembering that restraint is not paralysis. It is recommended that every other day we take action to indicate the pattern to follow to the other side:

6. Cut off loans from Import/Export Bank
7. Seize Iranian-built facility at McGuire AFB used to stock spare parts inventory
8. Confer with exporters about the feasibility of cutting our exports of medical supplies and refined heating oil to Iran
9. Meet with Canada, Australia, Brazil and Argentina about the possibility of an embargo of agricultural products to Iran
10. Prohibit all exports of food to International Brokers where the ultimate destination is unknown
11. Begin to establish contacts with Kurdish nationalists in Iran
12. Step-up military aid to Turkey
13. Improve relationship with government of Saddam Hussein of Iraq, who has been making overtures to the West
14. Send representatives to see the Sultan of Oman who offered to let us use the Island of Masirah as a staging base

15. Confer with the Japanese and West Germans about the possibility of a Naval Blockade of Kharg Island at the head of the Persian Gulf
16. A dramatic show of force in the Arabian Sea

Obviously these sequential activities and actions will be announced or leaked to the media, so that the Revolutionary Council will get the message that the longer the hostages are held, the greater the risks to them.

At this point, while we are taking the initiative on several fronts (Diplomatically, World's Moslem Nations and Religious Leaders, International Forums, and via Presidential Graduated Response), it would be appropriate to begin face to face negotiations with Khomeni and those who exert influence on him and the Revolutionary Council.

It should be remembered that what is happening in Iran is Terrorism: A political act ordinarily committed by an organized group, involving the threat of death to non-combatants. In a world more accustomed to placing more value on ends than means, the terrorist is the supreme pragmatist. No deed is too brazen or grisly, as long as it gets the job done: the change of social structure or the sought after revolution.

Hostage taking is perceived by the terrorist as an effective way for a weak organization or nation to extort concessions from a much more powerful institution or government. The terrorist can always be reasoned with, providing:

1. They trust the person they are dealing with
2. They are convinced that there is something to reason about

With this in mind, we must select people who can make contact with Ayotollah Khomeini or those who can influence him:

- . Acting Foreign Minister Bani Sadr
- . Ayotollah Mohammed Behesti
- . Sadegh Ghotbzadeh
- . Syed Ahmad Madani
- . Sub-Ayotollah Moosavi Khoymeni
- . Mohammed Mofatteh
- . Ayotollah Hussein Ali Montazeri
- . Mustafa Chamran

The people selected by the President to begin these secret contacts should be individuals whom the Iranians feel they can identify with and trust. Probably one individual who meets these criteria is Andrew Young, because of race, prestige, religious affiliations and the circumstances of his departure from the United Nations.

Members of the Iranian Government and the Revolutionary Council will meet with representatives of the President providing that these contacts are kept secret and they believe that some concessions and adjustment of position are possible.

Although we may not be willing to send the Shah back to Iran, we may ultimately have to yield something which will give the Ayotollah a way out and enable him to "save face".

IV. FACE-SAVING CONCESSIONS

If we are to break the current impasse and achieve our objectives, we must change the present psychological climate. The Iranians must feel that they may have something to gain in negotiating in good faith and much to lose if they don't.

Obviously, we must have something to offer the Ayotollah and his revolutionary council so they can appear like "winners" to the terrorist mob that they have set in motion. We must remember that to the disinherited "mustazafeen", he is God's agent and to humiliate him in their eyes, we risk the lives of the hostages.

Therefore, we must be prepared to make concessions to the Ayotollah (far short of returning the Shah) to "give him a way out".

Some possible concessions follow:

1. Determination of Shah's Medical Condition

- A. Iranian Doctors review Shah's medical records and speak to the physicians who treated him.
- B. Independent Panel of Medical Doctors examine the Shah.
- C. Iranian Doctors examine the Shah and his medical records.

2. Legal Proceedings in the United States

- A. The Iranian Government can commence extradition proceeding in Federal Court where the Judge will hold administrative proceedings open to the public. Ordinarily the Shah would have the right of asylum as a political refugee, but this would not apply to "Crimes Against Humanity and Other Heinous Crimes", providing his trial would be in accordance with International Law.
- B. The Iranian Government might also institute suit in our Courts for repatriation of the huge sums which the Shah allegedly took from Iran.

3. A United Nations Tribunal Could Hear Grievances

The United States would agree to support a resolution for a U.N. Tribunal to hear the charges and grievances against the Shah. This world-wide publicity might give them some measure of satisfaction.

4. Public Reaffirmation of U.S. Policy of Non-Intervention

The United States might be willing to reaffirm our current policy of not interfering in Iran's domestic affairs. This

might reassure the paranoia of Iran's leaders who remember the C.I.A. backed pro-Shah coup d'etat of 1953.

5. Buy Back Some Military Hardware

The United States might agree to buy back some of the more sophisticated military equipment purchased by the Shah.

Of course, there is always the much discussed concession which calls for the Shah to leave America as soon as practicable. My own opinion is that if the Shah were to suddenly leave for Mexico or elsewhere, while the hostages were being held, the Teheran mob's festive air could easily turn to frustration and then hostility. These are mercurial people and it's hard to predict how they might react. The risk of this option at this point is too high in my judgement.

V. IMPLICATIONS FOR THE FUTURE

Although the Iranian Crisis could mark a watershed in America's prestige and power, I have confidence that the "calculated cool" and persistence of this Administration will succeed.

We may even have to suffer through the outrage of several American diplomats being put on trial, but if we maintain our national resolve and are patient, our objectives will be achieved. The final scenario may even have the Ayotollah granting amnesty and the involvement of the PLO, but it should all work out.

The real danger that exists in Iran is the long range implications stemming from these events and the questions that they pose for U.S. Foreign Policy.

Can the United States become indifferent to what will ultimately occur in Iran?

The absence of a strong central government and the spread of anarchy will eventually undermine even Khomeini's authority. It is impossible to govern any country over an extended period of time with only popular spontaneity and frenzy.

Should the United States try to have a relationship with a "geriatric zealot" or take its chances with a new regime that might end up in the Soviet Camp?

At this juncture, the alternatives appear depressing:

- . Chaos under the Ayatollah, which would cause the west to be denied Iranian Oil or
- . The Ayatollah being deposed and replaced by a Soviet Satellite Government. For the Soviets, Iran is the gateway to the Persian Gulf Oil, which they will need in a few years, and it will fulfill long-standing Russian objectives going back to the Czars.

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CONFIDENTIAL

NEGOTIATING THE "IRANIAN CRISIS"

UPDATE

SATURDAY - DEC. 8, 1979

By: Herbert A. Cohen
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There are some problems that have no immediate solutions ---
 There are some situations that must simply be lived through --- Success
calls for the ability to sustain the tension without flight or fight ---
 The ultimate test of our maturity may consist in our willingness to accept
 the reality of our predicament and to treat it with resolve, patience
 and commitment.

I. BACKGROUND

All political extremism involves two prime ingredients: an excessively simple diagnosis of the world's ills and a conviction that there are identifiable villains back of it all. Such thinking comes easily to men like Khomeni who have duped themselves with delusions of their own unblemished virtue and the rascality of others. Blind belief in one's cause and an evil view of others are the soil in which the weeds of political lunacy and terrorism take root.

Mass Movements can rise and spread without belief in a God but never without belief in a devil or satan. Often, the strength of a mass movement is proportionate to the vividness and tangibility of its devil. Passionate hatred can give meaning and purpose to an empty life. Thus people, like the disinherited "mustazafeen", haunted by the purposelessness of their lives try to find a new content not only by dedicating themselves to a holy cause but also by nursing a fanatical grievance. The Ayatollah Ruhollah Khomeni movement offers them unlimited opportunities for both.

II. THE AYATOLLAH RUHOLLAH KHOMENI

1. THE ENIGMA

Khomeini is a man from a totally different culture and mindset who believes in the politics of division and confrontation. If you listen to his words, he is a mass of contradictions who has seemed to have lost touch with reality.

However, in Islam the use of untrue material falls within the tradition of "taqija" which permits Moslems to "dissimulate" if they are threatened with death. The Shi-ites have expanded "taqija" to allow the concealment of the truth for a righteous cause or in a hostile situation. There is even an Islamic saying, "It is permitted to tell a lie if it serves a good purpose."

2. HIS SITUATION

Before the crisis arose, the revolution was beginning to flounder. Strongly secular elements within Iranian society were implicitly challenging the rule of the clergy. The revolutionary leadership could not manage the economy and had proved incapable of dealing with military revolt by separatist elements in Kurdistan and other ethnic enclaves.

It was apparent that the revolutionary zeal had abated and what they had believed was a Pro-Islamic movement was in reality, an Anti-Shah uprising. Khomeini and the Revolutionary Council were looking for an issue that they could use to restore unity and purpose to their movement. The Shah's entry into the United States for medical treatment provided the issue.

As the primary target he would be singled out as the blame for all the existing frustration and evil. And President Carter who harbors him would be the secondary target, in the Shi-ite tradition of "satanic forces", which can include any secular ruler, American or other, who does injustice to Shi-ites.

3. STRATEGY AND TACTICS

Khomeini's strategy was to focus all attention on the Shah, a vulnerable target who could easily be accepted as the personification of all evil. The tactic employed to implement this plan was the Embassy Seizure which would pit Moslem Iran against the Shah and Satanical America. This dramatic event would polarize Iran and conceivably the Islamic World, as the line would be drawn. Anyone who now opposed Khomeini would not be merely a political foe, but a follower of the Shah and Satan and an enemy of Islam and God.

The seizure tactic would be so offensive to the United States that they might easily be goaded into over-reacting and this would ignite the Moslem World. A military attack on Iran might even prove a godsend to the Ayatollah as it would be a message from Allah: Iran and its people can cleanse themselves from past corruption, subjugation and injustices through martyrdom. The more lives sacrificed the more martyrs would be created.

III. THE SCORECARD

Khomeini achieved some success in focusing world attention on the misdeeds of the Shah and in uniting his nation around the issue of the Embassy Seizure. Although he has created problems for the United States in

several Moslem Nations and spotlighted the fragility of international law when in conflict with national self-interest his behavior has received little support.

President Carter's restraint, in refusing to meet irrationality halfway, has earned the world's respect. His leadership has strengthened his administration and unified a nation that Khomeini thought he could divide.

Khomeini's constitution was ratified without public opposition but from all appearances this was a pyrrhic victory. Three provinces including nearly fifteen million of Iran's thirty-five million people are now in open conflict with the central government, either because they want regional autonomy or because they oppose the sweeping powers given to Khomeini under the new constitution.

At this writing the Khomeini tide has crested and he will come under pressure from members of his own movement to seek a face-saving way out. His power and influence is not static and cannot be frozen like food; it must grow or wane.

Khomeini must be concerned with his domestic constituencies and how they will judge the handling of this affair. His survival as the head of his "Islamic Revolution" depends on his maintaining popular support from the PABRAHENA or "the barefoot" masses. But even the poor will be reluctant to follow unconditionally and indefinitely.

IV. COURSES OF ACTION

We must continue to keep the psychological pressure on Iran by heightening its sense of isolation in the world. The issue is not Iran versus the United States and a contest of wills, but Iran versus the World on the matter of International Law. Our President and Representatives must reiterate that, "the issue is not what happens to the Shah but what happens to the hostages."

There must be continued contact by members of our Government with our Allies, Third World Nations, The Soviet Union and especially The World's Moslem Nations and Moslem Religious Leaders. We must urge all of these parties to communicate with Khomeni and the Revolutionary Council to use their special relationship and prestige to urge that the hostages be released. These contacts with this disparate group should be personal meetings and not formal diplomatic requests.

At the same time, we must continue to pursue this matter at the United Nations and the International Court of Justic to keep the issue narrowed to the illegal seizure and give our cause the stamp of "Legitimacy."

Since the situation in Iran is not static we must be adaptable to shifting circumstances and sensitive to the process of action and reaction. We must not be trapped by our own tactics --- thereby forced to travel a road not of our own choosing. In essence we must have a comprehensive approach to achieving our objectives so we can have a degree of control over the flow of events.

This is the time to accelerate our efforts with the religious holidays
 after the referendum passed and the exhilaration stemming from the Embassy
 seizure is subsiding. It must be remembered that any tactic (the capture
 of the Embassy) that drags on too long becomes a drag. The students and
 the general crowd can only sustain militant interest for a limited time,
 after which it becomes a ritualistic commitment, like their daily prayers.

1. OPENING CHANNELS FOR NEGOTIATION

Use should be made of intermediaries from Moslem, Third World and Western Nations who have representation in Teheran. Personal contacts should be made by these representatives with a view toward achieving three limited initial objectives:

1. Establishing some relationship with Khomeni, Members of the Revolutionary Council and Influential People in the Iranian Government and clergy.

2. Getting the parties to agree on a statement of the problem that exists to develop some common ground and trust.

3. Obtaining personal guarantees and commitments from these individuals regarding the safety of the hostages.

In addition to these intermediaries (like SHAHUL HAMEED, Foreign Minister of Sri Lanka) we should also make use of acquaintances of Revolutionary Council Members and Khomeni himself who are residents of the United States. It would also be helpful to have KURT WALDHEIM personally go to Qom for face to face negotiations with Khomeni and those around him.

As things progress and some willingness to resolve this matter is evidenced by the other side, we can then consider an Informal Presidential Representative -- someone with the appropriate credentials who is not currently a formal member of this administration (e.g. Rev. Andy Young).

2. USING THE MEDIA

The Iranian Government has been trying to use the media to get its message through to the whole world and particularly the American people. They have been conducting diplomacy through news dispatch, interview, telecast and street demonstrations.

Members of this Administration, especially President Carter, must make effective use of the media to communicate our resolve to the other side and maintain the commitment of the American people. In these messages we must reiterate our position which is based on justice, morality, religious teachings and law. The value of repetition should not be underestimated as it helps fix our position in their mind and reduces their expectation level. Of course, a Presidential Fireside Chat will also help maintain the support and solidarity of all Americans in this time of crisis.

Greater efforts must be made to "humanize" the 50 hostages. This criminal act will appear even more outrageous to the world if we saw these hostages in human terms. Who are they? What are their names, backgrounds, ages, vulnerabilities and personal needs? The visit of the families to the State Department on December 7th was a good start but more can be done. It is important that world opinion see these people as fifty specific innocent human beings and not as a general mass.

3. LIVING UP TO THEIR OWN WORDS AND TEACHINGS

No organized group, including even the Shi-ite religion as revealed by Khomeini, can live up to the letter of its own book or pronouncements. This was understood by Paul of Tarsus when he wrote to the Corinthians: "Who also hath made us able ministers of the New Testament; not of the letter, but of the spirit; for the letter killeth."

Since all effective action requires the passport of morality or religion we must point to their own teachings and use it to persuade them: It is not only their religious teachings which are being violated in holding these hostages but their own new constitution is being subverted as well.

The Constitution's 32nd principle states, "Unless otherwise prescribed by law, no one can be arrested arbitrarily. When an arrest is made, the accused must be immediately informed of the reasons for the arrest. The case of the accused must be sent to legal authorities."

The students who continue to hold the fifty Americans in the U.S. Embassy in Teheran are violating all aspects of this provision of the Constitution which they claim was approved overwhelmingly.

Principle 39 of the Constitution reads, "An individual who is in prison or under legal arrest cannot be subjected to indignity or insults. Contravention of this principle is punishable by law."

Certainly, the American hostages have been subjected to indignities and insults. Why are they allowing their own teachings and laws to be violated?

4. SAFEGUARDING THE HOSTAGES

Ghotbzadeh has agreed in principle that an outside observer, such as a clergyman or Red Cross Official, will be allowed to visit the hostages. We must have, foreign ambassadors in Teheran, world opinion and intermediaries maintain pressure until this promise is met and an observer sees all fifty hostages.

There is always the possibility that a certain percentage of the "students" holding the hostages are Marxist Fedayeen or representatives of other radical-leftist elements. If this be the case (there is always a danger that the hostages might become hostage to one faction against another.)

Because of mob psychology and the considerable rhetoric coming out of Teheran there should be concern that events have escalated beyond the entourage that purports to govern Iran. When the hostages are ultimately released it will undoubtedly take a personal appearance on the part of Khomeini who will have to negotiate with the students.

Therefore, we will eventually need Khomeini, so any attempt to undermine him in the eyes of his followers at this time may be counter-productive if we are concerned about the safety of the hostages.

5. THE SHAH

The further statements or coverage of the shah can only serve to exacerbate this delicate situation. He must be kept away from the media and even the appearances of Mr. Armao or information about his visitors, activities, or medical condition should be discouraged.

Hopefully he can remain in Texas under a figurative news black-out until face to face negotiations begin. Once we can gauge the reaction that his departure will have, we can always make the concessions of his ~~formal abdication~~ formal abdication and his departure from the United States for political asylum elsewhere.

V. RELATED MATTERS

1. THE SOVIET UNION

The ambivalent attitude of the Kremlin regarding this crisis should not be surprising. Obviously the longer this continues, the weaker will be the Ayatollah's control and the more the Soviet surrogate's will inherit.

They are positioning themselves for maximum propaganda gains regardless of the outcome.

The Soviet Strategy has two objectives:

- 1.. Using this episode to encourage Anti-American Attitudes among all the Arab and Moslem people.
2. Ultimately replace the Islamic government in Iran with a pro-Marxist Regime allied with Iraq or even absorbed into the Soviet Orbit.

2. AMERICAN PUBLIC OPINION

The criminal seizure of the U.S. Embassy in Teheran was one of the hinge events in our thinking. The guilt and trauma of Vietnam is gone and the use of U.S. power in the world will no longer be tightly prescribed. Americans are looking to the White House for leadership and direction and they perceive they are getting it.

VI. FUTURE SCENARIO

The hostages will be placed on trial, to expose to the world, and especially to the American people, the way their Embassy conspired with the Shah to thwart the will of the Iranian people. Most of them will be convicted and Khomeini as the "faghib" will grant them amnesty and expel them from the country.

The trials or tribunal will be open to the public and will be designed to show to the whole world that the Shah was an American-installed and supported tyrant.

There can be little doubt that the leaders in Iran need a "public Carnival" that will be called a trial. This media event will be used to expose and denounce the Shah and to gain world publicity for its grievances against the United States. In essence, their real need left unsatisfied to date, is more

propaganda and vindication for their activities.

If there is a trial we must respond through intensified economic and diplomatic pressure. However, we must always remember that the threat of a food embargo or blockade or even the use of military force is more terrifying than the event itself.

VII. CONCLUSION

We must always remember that any agreement to negotiate is dependent on the perception of the other side as to the advantages of ending the confrontation.
The matter will not be resolved to our satisfaction until they perceive that we have something under our control that they want.

Therefore, it is essential that we approach this problem on many fronts with different tactics and action. In essence a Graduated Response involving the whole civilized world. We can and will influence their behavior based upon their experiences and needs.

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CONFIDENTIAL

CONCLUDING THE IRANIAN CRISIS

UPDATE

SATURDAY - JAN. 19, 1980

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1. THE EMBASSY SEIZURE

In the "Iranian Hostage Crisis" we are not dealing with an instance of some fifty Americans being kidnapped by an unknown terrorist group. We are faced with an action which, if it was not actually planned by the highest Iranian leaders, was publicly, officially and loudly endorsed by them. These leaders used this event to try to restitch the fabric of their revolution which was splitting at the seams and to rally and mobilized the masses to promote the self-sacrifice necessary to build the country.

The hostages have become the rallying point for revolutionary unity. They are not the end but a means toward recognition, national commitment, power and worldwide publicity. These leaders are clearly out to damage American prestige and influence in the world. They know exactly what they are doing, and what they perceive it is in their interests as newly installed revolutionary leaders to do.

2. AMERICA'S RESPONSE

Thus far the policy of President Carter has been well conceived and generally well received. He has set no deadlines or committed himself to irrevocable actions. He has used time and very slowly increased the pressure while giving the American people sufficient impression of action to avoid losing their confidence. However, we are now approaching a point of risk. Too little pressure and too much delay might persuade the American public, as well as the

Iranian leadership, that he was bluffing and that restraint is an unwillingness to exercise power.

Certainly we would be hurting our bargaining position if we displayed a reluctance to act unilaterally in the face of government-sponsored terrorism. And it is not our intention to purchase the lives of fifty hostages at the cost of thousands of others by conveying that we are unwilling to take risk.

3. THE MILITANT STUDENT/TERRORISTS

From the outset the "students" behaved with farsighted cunning. They read correctly our original disinclination to respond militarily, which made their bombastic statements about "martyrdom" so easy to declaim. They have manipulated our media with a skill that indicates they may actually once have been university students.

True, they haven't gotten their Shah back, but it is not far-fetched to speculate that they never really believed they could attain this goal. Rather, their primary ideological intention may have been to inflict a political defeat on the United States and the West.

Although these militants, calling themselves, "The Students Following the Path of the Imam," may be comprised of some extreme radicals, it is reasonable to assume that they will follow the lead of Ayatollah Khomeini.

4. THE KHOMENI VORTEX

To enter Ayatollah Khomeini's world one must abandon such humanistic guidelines as democracy, individual freedom and political morality and adjust to the medieval mind where state and religion are one, expediency is the sole moral and political norm and dissent equals heresy -- punishable

by death. Whenever the Ayotollah claims to be doing something in Allah's name, while following Koranic precepts, it becomes virtually impossible for anybody to challenge him without risking violence and bloodshed. The brave but incredibly naive Bahktiar was doomed from the time Khomeni opened his mouth to proclaim that, "obedience to the Bahktiar regime is obedience to Satan."

Khomeni worships strength and has no compassion for weakness as evidenced by toleration or humility. Once he finally came to power the United States may have erred in its hasty recognition and attempt to placate him. Our instant turnabout was meant to win favor; in fact he thought that the American about face was dishonorable. The rapid shift of position also caused the new Iranian government to question just how firm American "recognition" would be to them. If recognition was meant to be a token of humility that may also have been a mistake as humility is no more appreciated by Khomeni than compromise.

Although Khomeni's first inclination is to resist any compromise, when faced with overwhelming power he does back down. In March 1979 several thousand chanting Iranian women pressured him to compromise his dress code for females working in Government Ministries and he did a complete reversal from his initial unwillingness to negotiate with Kurdish Rebels. Furthermore, even though he despises the products of Western Civilization he returned to Iran in a Boeing 747 Airplane and has built and maintained his revolution with the aid of cassette recordings, radio and television.

The difficulties facing Khomeini's theocracy, imposed on a near-modern technological society, are insurmountable. Elsewhere it might work but Iran is a vast country, populated by complex communities, and a dramatically uncomfortable geopolitical situation. His solutions will not solve their problems because they are simplistic, rigid, legalistic, theocratic and elitist. These characteristics will intensify conflict and produce and aggravate schisms.

5. THE CURRENT SITUATION

A. BACKGROUND

The seizure of the United States Embassy was seen by Khomeini as a heaven-sent opportunity to direct attention away from the country's real problems. It gave him the opportunity to purge all secular elements from the revolution and to brand all opposition as tools of the Shah, C.I.A. and the United States. Using the students action as a rallying point the new Islamic Constitution was overwhelmingly approved in a referendum. Had this vote been followed by a period of tranquility the hostages would have served their purpose and negotiations could have been undertaken to secure their release.

But instead, the outcome of the referendum provoked conflict and raised the specter of national disintegration as ethnic minorities in the provinces claimed autonomy from the Persians around Teheran. In a broader sense, these disturbances questioned the political legitimacy of Ayotollah Khomeini's rule.

B. PRESENT PREDICAMENT

Iran today is pure chaos being held together by the issue of the hostages and hatred of the Shah. With each passing day economic paralysis, anarchy and corruption take a greater hold on the fabric of the country. The new privileged class -- the clergy, has turned the revolution entirely to its advantage, seeking to impose an Islamic dictatorship by snuffing out all opposition.

For Ayatollah Khomeini and his ruling Revolutionary Council, the current situation is quite serious. Islam is still a unifying force in Iran, but it has now been seen by the public at large to have divisions. If negotiations with the various national groups fail, the use of force will be necessary to restore authority. Even if the national government possessed this capacity, this option by itself risks further disunity. Furthermore, the Embassy seizure accompanied by the Anti-American mania may have outlived its usefulness (in view of the developments in Afghanistan) as it is making Iran vulnerable to Soviet subversion and outright aggression.

C. THE MILITANT STUDENTS

At the outset the militants who seized the Embassy were on top of the world. They not only had the mighty United States over a barrel but were interviewed every hour by the media. The chanting crowds and the attention of the world reinforced their actions and made their sacrifices worthwhile.

However, over the past few weeks there have been no more interviews on National Iranian Radio and Television, the crowds have disappeared and the audience of hundreds of correspondents eager to receive their daily communiques are gone. The Embassy Seizure tactic has dragged on so long it has become a "drag". They are beginning to feel the effects of this isolation and are wondering, "What do we do next?"

6. THE HOSTAGES

In most of our official pronouncements we have fallen into the habit of speaking of, "the hostages" and "these people" not of individual human beings being held captive. To much of the world, the hostages (almost invariably spoken of in the single collective term) have all but ceased to be perceived as individuals suffering daily humiliation and facing an uncertain, perhaps catastrophic future.

From all indications there has not been a sufficient concerted attempt by our government officials to humanize them as individuals, to keep their separate personalities alive in the public mind. This approach has also been adopted by the media and it has contributed to one of the cruelest of the effects of the crisis. By constant collective reference to the hostages as a nameless, faceless group we have institutionalized and dehumanized them and made them more vulnerable to possible harm.

Even at this date it is important that we tell the individual stories of those being held and provide more information about the conditions of their captivity. Not only was the taking of hostages a pre-planned event but

the treatment of these Americans is part of a plan to depersonalize them so they can be used for political purposes. They are being kept in isolation and sleep is controlled which effects their central nervous system and will ultimately lead to post-captivity psychological trauma and harm.

The present siege not only threatens the hostages but for every day it continues, it strengthens the hand of those to whom the freedom of innocents and non-combattants means nothing and makes it more certain that they will take more of our hostages in the future. To the extent that we become objective about "them" and decrease our efforts we are all being held hostage too.

7. AMERICA UNITED

Even after more than three months there are still some Iranian leaders and militant students who may believe that we are a people divided over the hostage crisis. As long as they think that, if they can convey their message to the American people about the alleged crimes of the Shah, President Carter will be pressured into delivering the ousted ruler into their hands, the hostages will be held.

Although Americans are banded together in support of the hostages in a manner not seen in this country since the days of World War II, more must be done to get this message of solidarity across to the other side. Why not mount an offensive to convince the Iranian militants that America is unified in its determination not to cave in to extortion? Except for a few isolated

flashes of public passion and a deluge of Christmas cards, complacency has reigned. Americans appear to have accepted the status quo as one on which they can have little impact.

Domestic demonstrations successfully reversed U.S. policy in southeast Asia and turned around attitudes toward Civil Rights. It would seem that a peaceful mass demonstration of hundreds of thousands could easily be organized outside the Iranian Embassy or someplace in Washington, D.C. For a country that prides itself in our ability to sell ideas and products we may have been abysmally slow in getting the truth about the depth of American feelings across to the Iranian people.

8. THE NEGOTIATION STRATEGY

We must convey by our graduated response that each day the hostages remain it will cost Iran more and the risks to their Islamic Republic will be greater. These measured and calibrated retaliatory steps must leave them time to react to pressure without appearing to succumb and with a chance for face-saving.

Therefore, we must not fully define the threat nor set any deadlines for action. Even if military operations are not contemplated we should never exclude the use of force. This also relates to our relationship to the Soviet Union where the strategy of deterrence rests on the conviction that they will be held in check only if they believe that in some undefined circumstances we will resort to overwhelming power. So by rigidly excluding the use of force, we not only do a disservice to the hostages, but

it weakens the American geopolitical position around the world. Obviously power is meaningless in the absence of a willingness to take risks and employ it.

9. STARTING NEGOTIATIONS

Most of the frustration in the Iranian Crisis stems from the absence of any credible authority with whom the United States can negotiate. In Uganda, when missionaries were threatened there was Idi Amin and in Central Africa when an A.P. Correspondent was beaten unconscious there was Emperor Bokassa. But Iran does not seem to have a functioning government that has any concept of diplomacy.

The situation in Iran, muddled always, seems to be shifting. Although trying to determine what is going on in Iran is like reading tea leaves, vague suggestions have come through lately that some sense of reality may be coming to those ruling Iran. If so, we probably owe that as much to the Soviets as to anything we've done. Their invasion of Afghanistan, including the assassination of its President, simply has to effect the Iranians.

If it is to survive, Khomeini's regime must shift its concentration from the cancer-stricken Shah in Panama to the Russian bear at the door. Facing the chilling news that the Soviet Union's 66th Motorized Rifle Division in Afghanistan is but a day's march from Iran's oil fields, they ought to see that the hostages are now a distraction.

Since this is the first time that Iran has a strong incentive to negotiate with us, we should exploit this propitious opportunity. We must try to open several negotiation channels at once using the Third World Islamic Nations (e.g. Bangladesh, Kuwait and Pakistan) to point out to Khomeni and key members of his entourage that the Soviets are now the real pagans and imperialists. In addition to these contacts we should continue to work through Kurt Waldheim and also consider sending a black American religious leader who is acceptable to Khomeni on an unofficial private visit. Obviously, there is also our U.S. Charge' d' Affaires L. Bruce Laingen who is also in touch with members of the Iranian Foreign Ministry.

Although our negotiation posture has always been that we would not discuss any Iranian grievances against the Shah until after the hostages are released, we might want to indicate some flexibility if these meetings are fruitful. (It is suggested that we offer the Iranians a chance to make their case against the Shah in some international forum that they do not regard as rigged against them; and that we might also offer them an opportunity in courts of law to reclaim the money that the Shah allegedly took from their country.)

10. DEALING WITH THE CAPTORS

At this point the embassy militants realize that they are not going to get the Shah back but need help in extricating themselves from this situation. They desperately need some new surprises to keep this going to bring back the crowds (they've tried to, put Col. Roeder on trial

for Viet Nam War Crimes, have Bruce Laingen brought to the Embassy and host a World Conference of Liberation Movements) or have the Ayotollah settle this matter without sustaining a loss of face.

Although dealing with the Embassy militants will rest primarily with the Imam, he must be able to justify to them that the outcome has made their efforts worthwhile. Since they cannot get the Shah back he will have to assure them that they will have a chance to make their case against him before the world.

11. THE GRADUATED RESPONSE

Some Iranian leaders now believe that the hostages have served their propaganda purpose and should be expelled. The present pressure and threat of Western economic sanctions could reinforce their argument that, "We made our case to the world; why pay more for it with further injury?" But it would take more knowledge than we now possess to exactly fine tune the pressure to be exerted on Iran. Of course if this measured and calibrated pressure begins to look like an effort to intervene in Iran's internal politics, it would only help the extremists there.

The valid objective of this graduated response is the release of the hostages. That makes these measures a supplement to our attempt to begin face to face negotiations not a substitute for it. Measures that hobble and dislocate the Iranian Government are preferable to those that would devastate and directly injure the Iranian people. And all measures should be reversible, clearly related to the safety and release of the fifty hostages.

Thus far we have tried to secure the release of the hostages through Legitimacy, Psychology, Diplomacy and Moral Persuasion -- all to no avail. At this point we must continue to seek a negotiated solution which will enable face-saving but at the same time commence a series of measured pressure steps to penalize them the longer they hold our citizens illegally. Between each of these actions we must give the other side time to react and select the face-saving alternative of negotiation.

American power and resolve should be introduced in this order:

1. Complete ban on the sales of military hardware, heavy machinery and manufactured goods by the West.
2. Major industrial nations join in freezing Iranian assets on deposit in their respective banks and denying them new loans.
3. Formally break all diplomatic relations with Iran.
4. Establish a military presence on Masirah Island that we have leased from the Sultan of Oman.
5. Aircraft mining of the approaches to just one of the secondary Iranian ports.
6. Occupy the Islands of Tumb and Lorak (once garrisoned by the Iranian military) in the Straits of Hormuz.

7. Temporarily jam all radio and T.V. transmissions in Iran severing communications within the country.
8. Aircraft mining of the approaches to Kharg Island and the mining of other Iranian ports, cutting off all trade by sea. When the mining is announced, President Carter will commit the United States to sweeping the mines as soon as all the hostages are released unharmed.
9. After suitable warning to avoid casualties to civilian personnel put Abadan Kerosene Refinery out of commission with a military operation.

Presumably on some of these economic sanctions we will have the support of our allies but in some instances we must be willing to act unilaterally to avoid any inordinate delay. What is important is that we begin the incremental pressure building, measuring the reaction as we go and always leaving opportunity for negotiations.

12. NEGOTIATING CONCESSIONS

Once the government of Iran agrees to discuss the release of our citizens we should be prepared to try to meet our needs as well as theirs.

In direct negotiations with Iran they might be able to win from us the following concessions:

1. The guarantee that there will be an International Tribunal that will air the alleged crimes and corruption of the Shah and any evidence

that they have about the alleged complicity of the United States.
Our government will agree to cooperate with the tribunal which the
Iranians will use to publicize their grievances.

2. Assurances from the U.S. Government that we will not take punitive economic or military action once the hostages are released.
3. A public statement by the United States Government accepting the legitimacy of the present Iranian government and our public promise not to intervene and support any counter-revolutionary efforts.
4. The cooperation of the United States in unfreezing Iranian assets and restoring any funds that were allegedly misappropriated by the Shah.

And if necessary -----

5. The U.S. Department of Justice would agree to look into any of the alleged violations of law committed by the Shah's representatives (against Iranian students) within the United States.

13. AFTERMATH

It should be remembered that patience without pressure is often perceived as paralysis and offers little protection to the vulnerable hostages. Ultimately the handling of this crisis will be determined not just by whether we eventually secure the release of the hostages. Success will also be measured by whether our action encourages future undertakings of this nature, whether we gained respect and prestige among our allies and the Third World and how is our willingness to use power perceived by our possible future antagonists.

(4)

D-264

1. CURRENT STATUS

From all indications a framework for negotiating the release of the hostages seems to be moving into place. Bani Sadr has given his three conditions for the release of the captives and has omitted Iran's prior demand for the return of the Shah and his fortune. President Carter has responded by publicly accepting the idea that a commission formed by Kurt Waldheim might inquire into Iran's grievances -- providing the inquiry is narrowed to a carefully defined purpose.

In spite of these positive developments and the encouraging statements made by Bani Sadr, Ayatollah Behesti and even President Carter at his press conference, there are signs that the release of the hostages will not occur for some time. It should be noted that, there are conflicting statements coming from Teheran, Khomeini has yet to speak publicly on when and how the hostages will be released and sufficient time has not elapsed to get the militant - terrorists and Iranian public opinion used to the idea.

Although the establishment of the International Commission is a big step forward we should not be disarmed by some of the recent conciliatory statements coming from Teheran. We are still involved in a negotiation with a tough adversary who is trying to extract as high a price as it can in the sale of fifth-three hostages. The arena may be International Diplomacy and the stakes human lives but the Iranians are negotiating like rug merchants in the classic Persian Bazaar.

2. Although the establishment of the U.N. Commission is a positive development, great care and patience must be exercised before it is dispatched to Teheran. Specific procedures, rules and the scope of inquiry must be established and the Iranian public and militant - terrorists must believe that these hearings are what they have been seeking all along. Obviously these hearings will enable Iran to publicize their grievances, to explain the rationale for their revolution and to display the depth of their feelings that resulted in the Embassy Seizure.

In return for giving Iran the concession of the International Commission before the hostages are released, we must receive written guarantees from the Revolutionary Council. At best these guarantees will state how and when the fifty-three Americans will be set free, or at least a written pledge that all of the hostages will be interviewed privately and that they will then be taken out of the hands of the militant - terrorists and placed in a form of "Diplomatic Escrow" (the International Red Cross, The Swiss Embassy, The Algerian Government or in a hospital supervised by the Revolutionary Council.

It should be recalled that the United States has come a long way from our talk of "tightening the screws" and making Iran pay "an increasingly higher price" each day the hostages are held. We have adopted a different approach as a result of the Afghanistan invasion and what we perceive is a changing mood in Teheran. However, we have backed down from our November position of "No Commission until hostages are released" to "The Commission

Established and Hostages released simultaneously" to the present situation. In essence we have made concessions to them and should be getting something in return if they are negotiating in good faith.

The Commission itself meets the needs of both Iran and the United States at this point in time. The Iranians will be given an air of legitimacy and publicity for their charges and grievances and it will provide justification for their illegal seizure of the American Embassy. For the United States it should give us the opportunity to determine the condition of each of the fifty-three captives, enable us to transfer the hostages to a third party and serve to help them "blow-off steam" which will be the first step in meeting their needs and securing the release of our people. If this negotiation is to be successful, safeguards must be established so that both sides fully meet their needs.

If Iran's track record holds up, we might anticipate that they will use the Commission to get world publicity about the Shah's crimes and make another attempt to change American public opinion. At the same time we can expect them to attempt to deny access to all of the hostages -- except the few who would testify in support of their charges against the Shah and the United States. Furthermore, it is highly unlikely that they will be willing to free the hostages in the near future as Iranian public opinion has not been adequately prepared.

Should our needs not be met during the visit of the Commission to Teheran, the U.N. body must be prepared to leave the country at once. Also the Commission's report should not be made public until all of the fifty-three hostages are safely out of Iran. It is essential that we not rely on the good will of the other side as "they perceive patience without pressure as powerlessness." Their bare words should count for little in a situation that has been illegal, immoral and dishonorable from the outset.

3. PRESIDENT BANI SADR

From all indications, Bani Sadr would like to see the hostage situation resolved; not because he sympathizes with the U.S. or the innocent captives, but because he regards this matter as diversion from his goals. He would like to secure the return of the frozen Iranian assets and install the institutions of government swept away in the revolution a year ago.

However, Bani Sadr is a one man show--he's an independent, uncommitted to the religious or left wing parties. The fundamental religious forces are still smarting from their defeat in the Presidential Elections (but they are still the majority in the Revolutionary Council) and they may be giving him just enough encouragement in the hope that he'll stumble. If Bani Sadr gets too far out in front of the "general will" (the overwhelming public opinion) he will lose Khomeini's support, and the mullahs will gain in the March 14th general election.

Thus far Bani Sadr has shown courage and maneuvering skill.* He is gaining and consolidating power in his struggle with the militant-students and the mullahs on the Revolutionary Council. He may want to resolve the hostage crisis impasse but his primary concern must be to solidify his own political support as his National Congress Party is a new organization that will face the established Islamic Republican Party (supported and controlled by the mullahs) in the Parliamentary Election. Should his party not receive a majority all of his plans, programs and appointments could be blocked in the General Assembly. Therefore, if Sadr is as shrewd as he appears it is unlikely that he will jeopardize his dream of an Islamic-Economic Iran for the sake of fifty-three Americans. So there is little likelihood for the actual freedom of the hostages until after the General Assembly Election. America has been pulling for Bani Sadr in his power struggle with the militants and we look at him as a "moderate". However, everything is relative as Bani Sadr is no friend of America. He may fear the Soviets, but he detests American cultural and economic influence and the ways in which it transformed Iran.

4. THE STUDENT-TERRORISTS

Like the Chinese Red Guards, the young militants took their cue and justification from a revered revolutionary patriarch and set out to revive his revolution -- gone soft and secular. It should be evident that these terrorists will not release their hostages unless given a direct order by Khomeini or unless they recognize that they are no longer able to generate public support for their position.

The power struggle in Iran is not only secular versus religious it is also one generation against another. The young who made the revolution (symbolized by the student-terrorists) are struggling for supremacy with their elders who guided it---many from a safe distance. It should be remembered that half the population of Iran is under twenty years of age and two-thirds is under thirty years.

To the majority of the people and their Ayatollah, takeover of the Embassy is a symbol of the Iranian youth's determination to be pure and resist super-power pressure. With this in mind it is unlikely that Khomeini will order the militant-students to release the hostages or even require them to make all of their captives available to the U.N. Commission.

Therefore, if the U.N. Commission is to see the hostages under conditions that are acceptable it will require considerable pressure from Bani Sadr, The Revolutionary Council, Public Opinion and the U.N. Representatives. This may be the crucial test of whether the crisis is on its way towards resolution and Khomeini's help should not be expected. Clearly his idea of leadership is not to direct public opinion but to reflect it.

The "Iman" operates with sensitive antennae finely tuned to the public temper in accordance with the old Army maxim, "Never give an order they know might not be obeyed". Khomeini has always been careful not to offend his own sense of the popular will. He repudiates no one and as a result is unlikely to say anything that will undermine his surrogates (the student-terrorists). The best we can hope for is that the "Iman" remains silent and that the Revolutionary Council and, lack of popular support, evidenced by the dwindling ~~crowd~~ in front of the Embassy, will convince them to back down.

5. NEGOTIATING THE HOSTAGES' FREEDOM

The release of the hostages from the control of the militant-terrorists will be the start of the process leading to their freedom. However, getting them safely out of Iran will not occur until after the Parliamentary Elections and after negotiating the conditions presented by Bani Sadr.

BANI SADR CONDITIONS:

1. United States admission of guilt for alleged sins and crimes under the Shah (Self-Criticism)
 - . The United States would be prepared to accept the U.N. Commissions final and critical report and this might constitute an apology.
2. Permitting Iran to pursue the Shah and the money taken from the country
 - . The United States would agree not to block Iran's legal extradition attempts
 - . Panamanian Government can hold hearings on the extradition of the Shah. Obviously Bani Sadr must give his people and the militants some evidence of his seriousness to get the Shah back. Because no extradition treaty exists and the current status of Panamanian Law this attempt will abort but the alleged crimes will be aired and the failure will not reflect upon Bani Sadr.
3. Agreement by the United States to stay out of Iranian Affairs
 - . The United States has already met this condition and we should be willing to restate our position

Obviously we should try and concoct a scheme that will allow for face-saving on all sides, but we must recognize that we are in a negotiation, and have been since the Embassy was seized. The other side will only negotiate with us in good faith if they believe that we can, and just might, bring about intended effects which they perceive might help them or hurt them. The real power in Iran is Khomeini and he is a tough negotiator who sees "concession behavior" as a sign of weakness. } Although we can hope for the best, the reality is that we must be willing to take some risk, exercise power and negotiate from strength. Therefore, The U.N. Commission must be briefed thoroughly and should keep their bags packed in Teheran so that if the other side begins to "nibble" (back-off their commitments) they are prepared to return home and deny the Iranians the world publicity they so desire.

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D-265

CONFIDENTIAL

NEGOTIATING A CONCLUSION TO THE IRANIAN CRISIS

Saturday - Mar. 15, 1980

(PAPER NO. 5)

By: Herbert A. Cohen
Consultant* to Justice Dept.
and the F.B.I. in Hostage
and Terrorist Negotiations

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NORTHBROOK, ILL. 60062
312 - 564 - 9155

I. THE CURRENT SITUATION

The unlawful seizure of the United States Embassy and its occupants has gradually drifted from crisis to permanence. The hostages have become pawns in a never-ending center of a struggle for power taking place among Iranian Revolutionary Groups. Rival factions and personalities have been maneuvering for dominant influence, each trying to gain the ear of Khomeini, the country's supreme power. And with the failure of the United Nations Commission, it is evident that he has thrown his weight behind the advocates of continuing chaos in their conflict with those who seek a return to normalcy.

For months the militant terrorists have been comfortably secure in the knowledge that the United States would not use force against them. Now they're also certain that the Iranian government is not likely to use force either. The captors and their supporters think they have this Administration over a barrel. As President Carter's policy has softened, their position has become tougher. Behind the wrought-iron Embassy fence there is a bizarre normality and a feeling that the United States is powerless to influence their behavior.

Obviously patience was justified as long as there was hope that Bani Sadr might bring about an early solution, but even this hope is now gone. As spring turns into summer, the psychological and physical strain on the hostages and their families will become greater. There will be wholesale defections from our policy of "restraint" and this

frustration will begin to show in the popularity polls. With this in mind, now is the time to scrap the policy of "watchful waiting" and assert our freedom to take ominous action to influence events and secure the release of the hostages.

II. THE ALTERNATIVES

However outrageous the seizure and detention of American hostages, there is a general recognition that we cannot produce the result we want by military force alone. At this juncture we have two possible options:

A. "WATCHFUL WAITING"

This policy is predicated upon the hope that Bani Sadr and his followers will gain significant power in the elections and he will regard this as a mandate to end the stalemate.

At this writing it is unrealistic to believe that the make-up of the Iranian Maylis will be any different from the Revolutionary Council, with the same divided power relationships and rivalries. The election results will give the President a Parliament composed of a large block from Behesti's Islamic Republican Party's Coalition, smaller groups from his own and other parties and factions and many well-known personalities such as Ayatollah Khalkhali, Mehdi Barzagan, Sheib Montazeri, Masoud Rajavi and Admiral Madani.

Unfortunately several realities support this conclusion:

1. Bani Sadr's new National Congress Party is not well organized and has fielded little known candidates for fewer than half the seats at stake.
2. The right wing clerical Islamic Republican Party, which pushed through the election regulations, is the best organized group.
3. The Persian Tradition of disdaining ideology and following the charismatic personality.
4. The vast number of candidates and the complex voting system make voter manipulation a distinct possibility at the local level where the mullahs are prominent.

The probability is that we are waiting for elections that can only produce a Parliament that will spend a great deal of time in chaotic wrangling before any help can be given to the hostages -- months in which the mental and physical health of the captives will continue to deteriorate.

Even if Bani Sadr is able to gain control of Parliament and establish the legitimacy and authority of his government, are

we to expect him to set the hostages free without getting anything in return? If he decided to put the crisis behind him he will be a tough bargainer. He will have to be, as Khomeini controls the Embassy Terrorists and has the power to veto any agreement that is made.

B. TAKING THE INITIATIVE

While we can recognize that the Iranians may have some grounds for bitterness and we would be willing to give them a graceful way out of this dilemma of their own devising, we must also make it clear that we are willing to exercise power to influence them. This is a negotiation and we are hurting our bargaining position if we continue to publicly eliminate options and display a reluctance to act in the face of government-sponsored terrorism. As the Little Red Hen said to the other animals on the farm, "If you won't help me, I'll have to do it myself."

As we should have learned, there is a little chance of appealing to fundamental Shia Muslims through our value system. There is nothing in Khomeini's Koran about detente, compromise or reasoning. While we tend to be defensive, apologetic and forgiving he is aggressive, confident and inflexible. In expecting kindness and compassion from Khomeini or his clerics it is helpful to remember an old Persian Proverb, "There are three things I have never seen --- the eye of an ant, the foot of a snake and the charity of a mullah." We have been "reading from a different

hymn book" and must address him in terms he understands----
POWER!

We should now take the initiative to effect their thinking and give them cause to worry about what we will do next instead of the other way around. Iranians from the ordinary people to the sickly zealot at their head, must be made to realize that the militant's criminality is harmful to their revolution and to the future of their country. Rather than waiting for the United Nation's Commission or the Iranian Parliament, we will begin to exert pressure on the Iranian regime to get out people released.

III. NEGOTIATION PREMISE:

In order to get anyone to negotiate with us in good faith they must believe that we can bring about intended effects which they perceive might help them or hurt them.

The Iranian Regime will not change their behavior unless they understand that we are capable of giving them something that they want or just might do something to them now or later that they regard as detrimental.

Therefore, to publicly rule out options such as military force or even retribution is to eliminate incentives for negotiation. It's no way to break the impasse. On the contrary, it invites the student-terrorists

to hang onto their captives and milk the situation for everything they can get.

- IV. What is required is a comprehensive game plan and consistent implementing tactics to enable us to achieve our objectives. The "powers that be" in Iran are to be given the message that the longer the hostages are held the greater the risks to them and their revolution. Our actions must be consistent and we must follow through. At the same time we increase the pressure on Iran, we will preserve and cultivate channels of communication necessary to safeguard against misreading of signals and to assure that no opportunity is lost for fruitful negotiations.

The strategy and tactics that follow in items A, B, C, and D are all to commence simultaneously. We will be operating on four fronts at once.

A. MEASURED AND CALIBRATED PRESSURE

We begin a graduated response to strengthen the hand of the relative moderates in Iran who want to put the crisis behind them.

The objectives of this incremental introduction of power follow:

1. Get Iran worrying about what we might do next
2. Have them see a detrimental pattern developing
3. Give the United States some bargaining leverage when the "real negotiations" begin

4. Cause the Iranian regime to impose a deadline upon themselves
5. Display consistent and comprehensive action to secure the release of the hostages which will enable us to maintain the commitment of our American Constituency
6. Put maximum pressure on the Iranian Militants

While we continue to seek a negotiated solution which will enable face-saving on all sides, we immediately begin a series of measured pressure steps to penalize them the longer they hold the fifty-three hostages. Between each of these actions, we will give the other side time to react and choose the alternative of "good faith negotiations". If they do not respond, 5 days later we move to the next pressure step.

THE GRADUATED PRESSURE STEPS:

1. Mount a new campaign in the General Assembly to enlist international support for economic sanctions against Iran
2. The U.S. unilaterally imposes economic sanctions against Iran -- including grain, medical supplies and refined kerosene heating oil
3. Complete ban on the sales of military hardware, heavy machinery and manufactured goods by the "Western Allies"

4. Follow - up on the expulsion of Iranian Diplomats -- pursuant to the President's prior directive - ^[We ordered home 200]
^{51 have left}
^{38 sought political asylum}
^{15 are in proceedings that could lead to deportation}
 (121 are not accounted for)
5. Make transfer of Iranian International Funds more difficult ---
 Major Industrial Nations join in freezing Iranian Assets on deposit and denying them new loans
6. Break all Diplomatic Relations with Iran and expel all their emissaries
7. Leak information through Iran's trading partners of an imminent naval blockade
8. Aircraft mining of the approaches to just one secondary Iranian Port. When the mining is announced President Carter will commit the United States to sweeping the mines as soon as the hostages are released unharmed

B. INTERNATIONAL PRESSURE

Since the still unpunished seizure of the American Embassy last November, the custom of attacking embassies has spread around the world like a plague. It is in the interest of all civilized societies to bring this matter to a conclusion and they must be encouraged to communicate their revulsion to Khomeini and the Revolutionary Council. Embassies in Teheran, especially those of Islamic Countries, can be closed or at least reduced to skeletal

staffs. We have to help President Bani Sadr show his people, his Ayatollah, and even the hostage-holders, that their revolution is being discredited in the world instead of vindicated.

America's strength in this struggle and Khomeni's weakness lie in the area of principle. For the principles that we want to vindicate are appealing to almost all other governments too: the safety of embassies and diplomats, the impermissibility of official terrorism and hostage-taking.

C. REACHING KHOMENI

Since it is often futile to negotiate with people who are lacking in authority, continued attempts must be made to influence the Ayatollah directly. Private and Religious Emissaries who do not officially represent the United States Government can be dispatched for a personal audience with the "Imam."

D. THE UNITED NATIONS COMMISSION

"Waldheim's Fact Finding Five" should publicly assert its independence from the United States and continue efforts to mediate this dispute as a "threat to world peace." The Iranians must be reminded that the Commission owes its birth to them, not the United States or the United Nations. As early as November 13th, Bani Sadr, then Foreign Minister, proposed in a letter to Mr. Waldheim that, "an inquiry into the guilt of the former Shah" should be undertaken. Everyone should be reminded that we

resisted not only any conditions for the hostages' release but at first, even a Security Council meeting to urge their freedom.

What is being suggested is that we publicly put some distance between ourselves and the U.N. Commission so they will be able to assume the role as "mediators". They can then go back to Teheran for a personal visit with Khomeini and should be able to meet with all of the hostages.

V. CONCLUSION

As I have said previously, "Patience Without Pressure is Perceived as Paralysis" in Iran, and "watchful waiting" will soon be regarded as appeasement in the United States. Since January there has been a steady erosion in our position as we have violated many of the Tenets of sound negotiations in giving the Iranians a kill as well as a chase as they engage in the sport of "Diplomat Hunting". The health and well-being of fifty-three innocent Americans and their families require that we stop "watching" and stop "waiting". We have options and we have the power to successfully conclude this matter but only if we act now!

1606

NINETTY-FIVE WALL STREET
NEW YORK, N. Y. 10005
August 29, 1980

*No ans.
required.*

Mr. James Baker
710 North Post Oak Road
Suite 208
Houston, TX 77024

Dear Jimmy:

The enclosed clipping from the New York Post is good ammunition for the Reagan campaign. It also should be good ammunition for the Reagan Revitalization of America program as contrasted with the Carter program. Properly used it can be very effective.

I hope that your research people have thoroughly reviewed Teddy Kennedy's comments about Carter during the primary campaign and that our speakers will use that ammunition against Carter as the Carter people are trying to use what George said about Reagan on their economic differences. The Kennedy speeches gave us a lot more ammunition than they have from what George said about Reagan.

We are praying that the campaign will really start hitting hard immediately after Labor Day.

Very best regards to you and let me know anything else I can do besides raising money in Connecticut.

Incidentally, I expect to have some very strong ammunition for Reagan and George on the State Department's and Carter administration's mishandling of the Central American political situation by the end of next week. I have asked my very knowledgeable friend supplying this information to put it in the form of a speech which can be modified by the Governor or George as needed. The area is a powder keg and largely because of inattention and maladroitness on the part of the administration and its representatives down there. It's really disgusting to see how we have thrown away good friends and giving the Cubans and their Russian masters a strong foothold.

Sincerely,

Prescott S. Bush, Jr.

*U.S. Don't like you back on
Cuba. This will take more
time. Recommend 4071*

You're better off with a handout.

By RICHARD JOHNSON — the working man's income — four takes in about \$18,000 a year in total public assistance benefits. The average income of a wage-earner in the state is \$14,032. ● With other social service programs, welfare actually can afford to take welfare families to a level of living at least 30 per cent better than a family where only the head of the household makes an average wage. ● The welfare family has more cash to spend than a worker earning the minimum wage. ● The welfare family has a grant, including food stamps, increased 135 per cent during the 1970's — to a total of \$619 a month. ● The cost to taxpayers of providing medical care for a family of four of four or more has risen to \$250 a year.

NINETY-FIVE WALL STREET
NEW YORK, N. Y. 10003

September 2, 1980

Mr. James Baker
Reagan-Bush Committee
901 South Highland St., 4th floor
Arlington, VA 22204

D-245
Dictated 8/29/80
Replaces D-47

Dear Jim:

I had lunch with Herb Cohen on August 29. He is the guy that I had told you would have some hot information for us on the hostages. At the moment he is showing some reluctance to come to the fore and if he doesn't, he won't be any use to us on that issue.

However, he did make some excellent points concerning the campaign in general and strategy we should be using. You may have already considered all of them but at the risk of being repetitive, I will cite them hereunder.

- . Carter's just announced plan for revitalizing American industry in the economy is his 7th economic plan in less than 4 years. What happened to the 1st, 2nd, 3rd, 4th, 5th and 6th? What was wrong with them? Why should anybody have more confidence in this one? -- This seems a pretty damn strong argument to nail him with.
- . We should keep hitting hard at unemployment, high taxes and inflation. Emotional issues which can alienate large segments of the population and which are really extraneous to this campaign - i.e., the Vietnam War matter - should be avoided. All extraneous issues should be avoided. There are a large number of people who will not vote for a candidate who will fragment the country. The introduction of extraneous issues will fragment the country with people taking various sides on an issue that is not going to help our cause at all.
- . The next point he made I think is a very good one. Reagan should go after the blacks and Spanish-Americans

*I see
high taxes
called them on
this. Revision
is essential.*

just
 not to influence their votes. He may get a larger portion of that than Republicans have gotten in the past but the primary objective is to influence the liberals, who are disenchanted with Carter, to vote for Reagan. By campaigning in areas where he is weak - i.e., such places as the South Bronx (that was definitely a plus), Harlem or other black ghetto areas or Spanish-American centers, etc., around the country, he creates a media event. The liberals and Democrats alike see him doing this and say, "Hey, Carter told us this guy was a demagogue, a torch thrower and a war-monger, etc., but here he is finding out what the problems are of less fortunate Americans. He's a good guy. We don't buy what Carter says. He's one of us." By showing a degree of humanity and admitting he screwed up when he does, the average guy, the little fellow, will identify with him.

- . He should monitor carefully Carter's use of government employees from cabinet officers right down through the ranks and of government equipment ~~to do~~ the campaigning, ~~for him~~. Herb says that the talk in the White House is that Carter will campaign only part of the time and spend most of the time trying to create an aura of presidential competence by staying in the White House. Concerning the cabinet and lower-level people, the White House expects them to work 40 hours in the first three days of the week and then spend the last two days and the weekends working on politics.

In the event that you did not see Mondale's performance before some big group last week on television in which he made a highly political speech to a non-partisan audience, he used Air Force I for that event. CBS photographed him getting back aboard Air Force I and commented on the fact that here he was using government transportation on political work. We should monitor very carefully their use of government transportation and other government facilities and make sure they're called on it. This will vastly reduce the funds they have to spend on media and other things. Maybe this

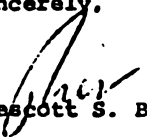
1610

is something Brock can do through the RNC by having people all over the country monitor them and report accurately all events.

That's all for now, Jim. Keep the faith and keep fighting.

Best regards.

Sincerely,



Prescott S. Bush, Jr.

PSB:cda

cc: Mr. William Brock

1611

PRIVATE AND CONFIDENTIAL

NINETY-FIVE WALL STREET
NEW YORK, N. Y. 10003

September 3, 1980

D-24
Duplicate D-97

Mr. James Baker
Reagan-Bush Committee
901 South Highland St., 4th floor
Arlington, VA 22204

Dear Jim:

Herb Cohen - the guy that offered help on the Iranian hostage situation - called me yesterday afternoon. He says that he feels sure that if Reagan does not goof between now and the election and is leading Carter by the middle of October, Carter will make a move on Iran. He cannot come out now and say that Carter is going to do something on Iran in October because he said everything is a contingency plan that is loose and fluid from day to day. The administration would deny anything he said at this point. They have several contingency plans which call for different types of action but would deny revelation of any of them at this point.

Herb says, however, that if he and others in the administration who really care about the country and cannot stand to see Carter playing politics with the hostages, see Carter making a move to politicize the release of the hostages he and they will come out at that time and expose him.

Herb says the Carter people do not trust the State Department. While Vance was still Secretary of State, Herb made a remark that Vance would know the answer to a particular question and Hamilton Jordan asked him, "What does he know? He's only a desk officer." They don't trust Muskie either. The only people, according to Herb, who make policy are Ham Jordan, Jodie Powell, Cutler and Rosalynn, together with the President. Mondale is sort of on the second tier but not on the inner-in.

Herb has a couple of reliable sources on the National Security Council, about whom the administration does not know, who can keep him posted on developments.

Would you like to meet him some time in the next few weeks?

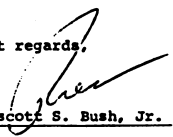
He is also willing to help us evaluate geopolitical situations

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and to give political help in the form of assessment of problems and suggesting solutions to them. He is a bright guy and could be quite helpful, I think.

I'll wait to hear from you if you would like to see Herb to discuss both of these matters.

Best regards,


Prescott S. Bush, Jr.

PSB:cda

1614

· RICHARD V. ALLEN

D-225 15

May 27, 1980

MEMORANDUM FOR GOVERNOR PEACAN

cc: Bill Casey, Ed Meese

FROM: Dick Allen

SUBJECT: Letter from Foreign Service Information Officer

You will recall that I sent you some interesting correspondence from Foreign Service Officers. This is another one that deserves your attention, as it demonstrates that you have support within the bureaucracy.

This man works for the United States International Communications Agency (USICA), the successor agency to the United States Information Agency (USIA). USICA runs, among other things, the Voice of America and all our cultural activities abroad. Note that the writer says that USICA has "become a rigid system moving ever further from hard-hitting information activities to soft-line exchange."

He also raises an alarm concerning the Carter Administration's advocacy of a new Foreign Service Act which is likely to have a very adverse impact on the professionals in the field, not all of whom are soft or lazy. This man appears to be an example of one who is neither.

I have prepared a short letter to him for your signature.

* * * * *

In a folder marked
RR- State D.
State D.
Correspondence

1613

P-215

RICHARD V. ALLEN

805 SIXTEENTH STREET, N.W. • WASHINGTON, D.C. 20008

April 28, 1980

Governor ---

You'll recall my having mentioned speaking at the State Department to a packed lecture hall. I have had several responses to my request to contact us privately, and this is one of the best.

Please keep the letter confidential so as to protect Mr. Byers. My hunch is that we will get a lot more of this sort of communication if we ask for it.

What do you think?

Best regards,

1615

RONALD REAGAN

June 12, 1980

Mr. Milton L. Iossi
5163 North Washington Boulevard
Arlington, Virginia 22205

Dear Mr. Iossi:

I am very interested in the views expressed in your letter to Dick Allen, which he has sent to me.

If the nation is to survive the challenges of the 1980s, it will require the dedication and skill of its diplomatic personnel. A demoralized Foreign Service Officer Corps cannot, by definition, function as an effective instrument of United States foreign policy.

I see the role of the United States International Communications Agency as especially vital in the years ahead, and I have spoken frequently of the need to get America's real message transmitted to the entire world. To do the job properly, we must allocate the human and material resources in an intelligent and logical way.

Thank you for writing to us and sharing your thoughts.

Sincerely,

cc: Mr. Richard V. Allen

1616

RICHARD V. ALLEN

305 SIXTEENTH STREET, N.W. • WASHINGTON, D.C. 20036

May 27, 1980

Mr. Milton L. Iossi
5163 North Washington Boulevard
Arlington, Virginia 22205

Dear Mr. Iossi:

Your interesting letter of May 1st deserved an earlier response, and I hope you'll forgive this delay. It also deserves a longer response than I have time for at the moment.

The points you have raised are important. I find that I cannot comment on the Foreign Service Act because I am unaware of its provisions, but what I have heard of it causes me to lean against it. It also seems to me that, before such a piece of legislation with obvious far-reaching implications is passed, a prospective new President would want to know about it -- and perhaps do something about it if he could. In any case, I'd appreciate any specific information -- succinctly presented -- that you may have available.

Ambassador Robert Neumann is a man on whose advice and counsel we will depend heavily during this campaign. He is a man of quality and character, and has our nation's best interests at heart.

Because your letter contains a message that Governor Reagan ought to read, I'm sending a copy to him. I trust you'll not object.

Please feel free to contact me or my colleagues again: your concern is shared and your interest is appreciated.

With my best wishes,

Sincerely,

1617

5163 North Washington Boulevard
Arlington, Virginia 22205
May 1, 1980

Richard V. Allen, Esq.
905 16th Street, N.W.
Washington, D.C. 20036

Dear Mr. Allen:

I enjoyed your recent presentation at the State Department's Open Forum. Although these are bleak days for the U.S. abroad, I was heartened by a number of the points you made about Gov. Reagan's foreign policy views and am privately pleased at the increasingly bright prospects for his winning the Presidency in November. I confess to being a closet conservative, which is all that I am permitted to be as a career Foreign Service Information Officer. In view of recent events, however, perhaps I can be forgiven for feeling that my strong conviction of the need for a complete change of leadership in the U.S. is based on objective as well as a subjective conservative evaluation of the state of our foreign relations and our economy.

I was particularly interested in your comments about the need to centralize foreign policy leadership in the State Department and strengthen the role of the Secretary of State. I have observed the steady erosion of authority and coherence away from our "Department of Foreign Affairs" for some twenty years. During my twelve years of service abroad, I have enjoyed the experience of effective teamwork of all components of the Country Team at my posts as a pleasant contrast to the irrelevant paper shuffling of the wasteful and competitive bureaucracy in Washington. As you know, under the guise of completing the so-called "Civil Service Reform," this Administration is pushing a totally unnecessary new Foreign Service Act that would perpetuate this sorry state of affairs and further undermine the merit principle in civil service.

My point in writing to you, as you invited at the Open Forum, is to suggest a true reorganization of the foreign affairs community for your consideration. Although it is certainly not a new idea, I have believed for many years that the U.S. Government should have a single Department of Foreign Affairs, modeled roughly along the lines of the

Defense Department, which would have component departments or agencies covering the functions of USICA, USAID, ACDA, CIA and the other odds and ends that have broken off of State and gravitated to other Washington addresses. Such a super-department could continue to be called Department of State for historical and constitutional reasons and would logically serve as the new locus of the NSC staff as you indicated during your talk. It would coincidentally, be able to cope more equally with Defense in interagency foreign affairs fora and could otherwise better defend itself in the Washington political competition for appropriations by finally attracting something of a constituency. Needless to say, the enhanced Secretary of State would carry more actual as well as titular authority and the major benefit should be a more coherent foreign policy, both in formulation and execution.

The reorganization should also result in rather sizable budget savings as well as increased efficiency, as duplicatory staff functions are eliminated. There was some interest in this idea during the Johnson administration, at which time I did a staff paper for Gen. Maxwell Taylor outlining the proposal while I was seconded for a year with the State Department Office of Management Planning. Since that time, however, all movement has been centrifugal rather than centripetal.

You may wonder why a Foreign Service officer of USICA would propose a lessening of the independent status of his own Agency. Since its birth on April Fool's Day in 1978, ICA has, in keeping, perhaps, with a foreign policy based primarily on human rights, become a rigid system moving ever further from hard-hitting information activities to soft-line exchanges and preoccupation with arts and Americana (in which, incidentally, our foreign audiences are demonstrably uninterested). The Washington bureaucracy has taken more and more authority and resources away from our field officers and morale in both the field and Washington has never been lower. Experienced officers are taking early retirement in such numbers and potential junior officers view ICA employment opportunities so dismally that we have a net vacancy level of around 115 officers at this writing.

That the present administration would push so hard for a bill which so diminishes the prospects for an honorable career in the foreign service at a time that it permits dozens of our colleagues to languish in captivity and be subject to humiliation and mortal danger while serving their country abroad defies all understanding. Since the Foreign

Service Act of 1980 is out of committee but has not yet passed the House, perhaps it can be stopped by political action and more constructive proposals offered as alternatives that are truly in the national interest. In any case, many of my senior colleagues share my conviction that we would gain more "psychic income" and have better career prospects in a larger Department of State where we could all compete equally for career Ambassadorial appointments and other top jobs than in the fragmented and demoralized structure that we serve in today.

It may be a personal conceit, but I often feel that foreign service personnel are in a better position to make comparative evaluations of nations and systems than most Americans by virtue of years of study and service in other societies. Like most of my colleagues, I feel that the United States is unquestionably the greatest country in the world in every sense and I would like to be able to lift my head and begin to play "hardball" again in the rather mean, Darwinian world that we live and compete in. With a strong, balanced, and innovative economy; a political system that works better than any other; and a populace of healthy, educated, and hard-working people, we lack only determined, persuasive, and coherent leadership to make this the American rather than the Soviet Century. To accept anything less would be a betrayal of our heritage and potential.

If you will permit a final note, I was also pleased to see the name of Ambassador Robert G. Neumann among the other distinguished names on the list of foreign policy advisers that you named for Gov. Reagan. I served with Amb. Neumann in Morocco and keep in touch with him socially here in Washington. His is a first-class mind and he has that more and more uncommon quality, "common sense." I have high hopes for an administration that can attract and motivate people of this caliber.

I hope that the suggestion above is of some use to you in your foreign policy considerations. I would be happy to be of any other service that I can and look forward with pleasure to working under a new administration.

Best wishes for your success in November.

Sincerely,



Milton L. Iossi
Foreign Service Information Officer

1620

May 16, 1980

Mr. Hunt Jarin
6913 Maple Avenue
Chevy Chase, Maryland 20015

Dear Hunt:

Thanks very much for your letter of May 7th. I appreciate your taking time to write.

Your suggestions are concise and to the point, and I agree with each of the four points you make.

One caveat would be that the notion of a North American common market does not always fall on friendly ears in Mexico and Canada, and for that specific reason we have avoided using the phrase. Personally, I have found in conversations with Canadians that they don't see the Mexicans in quite the same way we do, and that must also be true for the Mexicans, although I have not spoken with too many Mexicans about the notion.

Please continue to send me any recommendations that you feel merit consideration.

With best wishes,

Yours sincerely,

1622

6913 Maple Ave.
Chevy Chase, Md. 20015
May 7, 1980

Mr. Richard Allen
Potomac International Corp.
Suite 207
905 16th St. NW
Washington, D.C. 20006

Dear Dick:

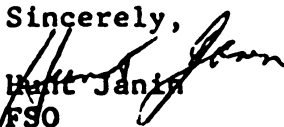
You may remember that we had lunch together after you spoke to the State Department's Open Forum on April 18. At that time, I warned you I would seize the opportunity to inflict my views on you on how the operations of the State Department could be improved under a Reagan administration.

Here are my recommendations in a nutshell:

1. More attention should be paid to longer-range policy planning. This should be directed from the Secretary's office and should require major contributions from the Bureau of Intelligence and Research.
2. Decision-making can be improved by directing, again from the Secretary's office, that action memos be kept very short and reflect real dissent where it exists.
3. Your idea for an Office of Continental Affairs, embracing both Canada and Mexico, is a good one. Over time, we should move toward something like a North American Common Market.
4. We need better management at State. Let's bring in super-sharp people from private industry to do the job.

Good luck in the campaign.

Sincerely,


Paul Janis
FSO

1623

RICHARD V. ALLEN
905 SIXTEENTH STREET, N.W. • WASHINGTON, D.C. 20006

May 16, 1980

Governor --

Martin R. Hoffmann, one of your advisors, was formerly Secretary of the Army. The other day he told me of this "scenario" for the release of the hostages and some attendant matters. I asked him to write it up, and the result is the enclosed.

Let's hope he's not right!

With best regards,

Rich

Since the U.S. attempt to liberate the hostages and the resulting dispersal of those hostages to various cities in Iran, hopes for immediate release of the hostages has waned. Dispersal of the hostages and the dramatic lifting of the hostage-siege of the Iranian Embassy in London have somewhat dulled the effectiveness of the U.S. hostages as a propaganda tool. The following scenario suggests a succession of events relating to release of the hostages which is not only possible but--if one does not limit it to the precise dates herein which are included for dramatic affect--may even become a probable scenario. It goes as follows:

As the current Iranian government becomes more fractured and polarized, the violence within Iran increases toward the end of May and in the early June. External pressures from the Iraqis on the West and unrest in the Baluchi Nation on the East require increasing deployments of Iranian troops. Meanwhile in the cities, unrest continues to mount as the unemployment increases, as the oil production decreases and as the Khomeini regime attempts to continue to implement the Islamic state in practical ways (such as the recent university left-wing purges). The universities continue as tinder boxes, with sporadic violent demonstrations which are first controlled and then suppressed by military forces.

The influence of the moderate government elements in the government such as Bani Sadr and Ghotbzadeh continue to deteriorate. The Ayatollah becomes more strident in his insistence on the Islamic state. By mid June the schism between the moderates and the Ayatollah followers is becoming widely apparent within the country.

Toward the end of the month, the Ayatollah withdraws on a incommunicado retreat to the city of Qum. While the official word is that he is meeting with his advisors and conducting spiritual exercises of various sorts, the rumor begins to persist that he has suffered another stroke and perhaps is dying or dead. By the end of June, riots have persisted in Tehran and other major cities instigated by identified leftist elements. The refusal of the Iranian army to act in suppressing demonstrations in various cities is a rising cause of concern, as is lack of military success on the Iraqi and Baluchi fronts. The rising violence is attended by increasing incidents of looting and stealing food as the unemployed find their plight worsening. By the end of June a number of Western correspondents have been ejected from the the country and a news brown-out is gradually taking place. Internal communications are disrupted as radio stations broadcast conflicting reports and propaganda messages from the various parties to the violence.

On July 1, the situation in Tehran has significantly worsened. Late in the day, after they have been silent for 3 hours, two major radio and television stations come back on the air with martial music and announcements by the Tudeh party (the Soviet backed communist organization) that the Tudeh party has received a vote of confidence by a majority of the parliament and is, in fact, taking over the government. The whereabouts of Bani Sadr and Ghotbzadeh are unknown. The broadcast asks for Russian assistance under the Brezhnev doctrine, but for the limited purposes of assisting with the Iraqi border situation and in controlling incursions by the Pakistan Baluchi situation to the east.

On July 2, President Carter holds a news conference in which he warns the Soviet Union to stay out of Iran--pointing out the danger to the stability of the Middle East, the refusal of the Soviets to take any positive withdrawal action with respect to Afghanistan and branding the Tudeh party a Soviet puppet regime. He calls upon Third-World countries and others to exercise the same pressure on the Soviets by calling for Soviet refusal of the Tudeh party request. On July 3, fragmentary reports begin to filter out of Iran that there has been military action by unknown groups accompanied by explosions and small arms fire in the vicinity of the U.S. Embassy in Tehran, and locations in

Tabritz and Qum where it is rumored the U.S. hostages were held. Late on July 2, President Carter releases a statement in which he again places the responsibility for the safety of the American hostages on the Iranian government. He asked Iranian authorities to clarify the situation of the hostages and give assurances that they are being protected and that their safety is assured.

On July 4, there are reports that Soviet troops have moved across the Northern Border of Iran with some units moving toward the Iraqi border and other units moving toward Tehran. Simultaneously, there are reports that Soviet units from Afghanistan have moved into Iran, some headed west toward Tehran and others deploying southward toward the Baluchi regions. The Pakistani government confirms these latter movements, only warning the Soviets to respect their borders.

At noon on the 4th, Moscow radio broadcasts a message congratulating the U.S. on the success of its 18th century revolution but deploring the failure of that revolution as manifested in the current U.S. government. It is then announced simultaneously by Moscow and Tehran radio that specially trained Soviet units have freed the U.S. hostages, with the exception of 7 who lost their lives in the actions

leading to the release. The broadcast from Tehran invites the U.S. to send cargo aircraft to Tehran at noon on July 5 in order to pick up the hostages. The broadcast specifically states that a condition for the pick-up of the hostages will be U.S. press coverage of the turn-over of the prisoners. The White House is silent for the balance of July 4 during which the White House staff attempts to reconcile the conflicting objectives of constraining Soviet incursion into Iran with the obvious fact that the Soviet incursion has had, at least as its first effects, the "stabilizing influence" made prominent by Ambassador Andrew Young.

Subsequently, Third-World countries release statements mildly condemning the Soviet incursion and urging withdrawal of Soviet troops from Iran and Afghanistan while praising the release of the hostages. News releases on July 8 and 9 from Iran indicate that the first Soviet technical assistance teams have arrived in the Iranian oil fields and predictions are that the downward trend in Iranian production would be reversed within 2 months and will achieve 1.9 million barrels per day (an increase of 500,000 barrels a day) within 5 months time. The date of the arrival of a Soviet team to negotiate new agreements for the purchase of Iranian oil and gas is also announced.

Throughout the fall Presidential campaign, the White House continues to take equivocal stands on the portent of the foregoing developments. With the increasing confirmation of the fact that the Soviet Union will become a net oil importer in the early 80's, and in view of the deteriorating U.S. strategic and military posture vis-a-vis the Soviet Union during that same period, the administration seems bent on taking the position that the loss of Iran is a good thing because it will allow the Soviet Union to satisfy its requirements for petroleum without having to make further moves on Saudi Arabia or other oil rich middle east countries. Ambassador Andrew Young, campaigning in Florida for President Carter, ventures the opinion that the presence of the Soviet Union in OPEC will have a "stabilizing influence." Secretary of State Muskie lectures a meeting of the energy ministers of Europe and Japan on the virtues of solar power and suggests that negotiations be started at once leading to the export of wood ships from Maine to Europe.

Washington, D.C. 20515

MEMORANDUM

RAYMOND MOLINA
600 GRAPETREE DR Apt 10 B5.
Key Biscayne, FLA
33149
(305) 361-3009 Ro
361-1691 Ro.
(305) Office 443-3831

7/2/80

Roger Fontaine:

Had my long-awaited 'chat' w/ Ray Molina. Memo attached describes three Cubans who allegedly came in on the recent wave, were interviewed by Key West friends of Molina (unnamed at this time) and put in the hands of the CIA who brought them to Langley, debriefed them, and turned them loose; their location is uncertain, probably in Miami area. Even Molina cannot assert the authenticity of these three caballeros.

Molina has seen Helms and Lucier with this info yesterday; says that is his sole contact other than our shop. Ray's thesis is that Carter, if he can authenticate, will spring this story just prior to November with some form of strong military or economic response. Molina feels the campaign should have some sort of similar DIA investigative capability that can also authenticate the matter and then use it ahead of Carter. Mol will, upon request, put our people in touch with his Key West contacts.

Raymond knows I'm forwarding this material to you. He will be calling me in about a week to note our response/action, etc. I've got his phone numbers somewhere around if you need them.

Plz advise me what course you think we should follow and what to reply to what will likely be Molina's inquiries.

Belden

capabilities as the Soviet Union to launch a missile attack against

RAMACRISHNA, Alarcon Roman

Cuban Passport No. 7720
 Date of birth - January 8, 1945
 Place of birth - Havana, Cuba
 Characteristics - Scar in face

Studied 5 years and 7 months in the USSR in the University of Chechsenko. 2 years in Czechoslovakia, Kiev, Moscow, Leningrad, Slovakia, Bratislava. In 1972 he was the official translator for Fidel Castro in Kiev, Russia during Castro's visit to Russia. He has served for the Ministry of Culture as an official translator in the Congress of Transportation and at the "Cuban Institute of Friendship with the Peoples" (ICAT). He was a member of the "Communist Youth" (JC) since 1960. He was a member of the Young Rebels and has volunteered to climb El Pico Turquino five times. (The Pico Turquino is the hardest commando training given Cubans and in order to prove their loyalty people volunteer to climb it.) Mr. Ramacrishna in order to prove his loyalty to the party has volunteered to climb it five times.

Missiles in Cuba

Are there strategic missiles in Cuba today?

"Yes, there are since only a few were retrieved in 1962."

Is there nuclear capabilities in Cuba?

"I am 99.9% convinced that there are nuclear capabilities in Cuba. During the many conversations with high ranking Generals of the strategic Soviet units in Cuba and at social functions that he has attended with these Generals at Reparto Abel Santamaria in Managua and San Antonio de las Vegas, he has been ~~gratified that these Soviet officers that Cuba has the same military~~ capabilities as the Soviet Union to launch a missile attack against the United States. *(30 meter long rockets with 6 burners, the (CBM type)

A definite missile base is located between Managua and Abel Santamaria in San Antonio de las Vegas. He indicated that MIG 23's that never fly but are maintained in a high status of combat readiness are kept in especially disguised hangers close to landing strips also camouflaged and undetectable by aerial surveillance are stationed all over the island of Cuba.

Mr. Ramacrishna stated that "nuclear biological and chemical warfare (NBC) is a major strategic tool of the Soviets and the Cubans, that he has seen underground storage where containers of (2,611/2) full of chemical materials are stored. These underground storage areas are located at "Reperto San Agustin" close to the Managua base and this new well built base is protected by surface to air missiles in underground facilities and is part of the chemical and biological strategic system that they have developed and are often more dangerous than anyone can realize in the United States.

Arco del Chico

El Chico in the outskirts of Havana is where part of the Soviet Strategic Units are located. In these Units, the cook, the barber, and everyone is Russian and no contact is made with Cubans except when they go to the Port to pick up parts and materials shipped from the Soviet Union. At El Chico, they have another chemical and biological tactical center completely controlled by the Soviets.

Submarine Base

~~The submarine naval base which was built in Cienfuegos is~~
manned by Cubans highly selected from the Party ranks and trained in the USSR. This base facility is said to have the capacity to service nuclear submarines. The construction of this facility was justified because Russia sold Cuba three

non-nuclear submarines which will be stationed in this base. Mr. Ramacrishna, with very high credentials in the Communist party and belonging to a very old Cuban Communist Party family with strong loyalty to the Party decided to leave Cuba in this group of refugees because none of his credentials and alliances were any good when he was arbitrarily arrested during December of 1977 under the new repressive policies of the Cuban government.

The Cuban government has enacted a concept which is called the Legal Precept of Dangerous Subjects or Potential Criminal Inclinations", people that in the eyes of the police or a security officer look like possible opposition to the government are picked up in the street and sent to some prison without having committed any crimes.

Mr. Ramacrishna became disenchanted when he became subject to this treatment and imprisonment and decided that Cuba's Communist System was not the paradise that he had sacrificed for, he thus escaped Cuba disguising himself with a different name. He arrived in the United States on May 19.

RIVAS, Armando Romero

Permit to leave Cuba No. 585-99-11

A first Lieutenant in the Cuban Army, he spent 2 years and 9 months in chemical army battallion.

He attended the military school Camilo Cienfuegos, near Havana (Baracoa) (1968-69). In late 1977, served as an Army NBC instructor in the Western Army (Engineer Unit).

As a civilian he was a chemical student, 1961-1969 at the "Cuerpo Ejercito Preparativo Especialistas Menores" (CEPEN) at Arco del Chico in El Chico, near the outskirts of Havana, where there is a logistical Soviet chemical unit, highly protected and secured with ground to air missiles where no

Cubans can enter. Mr. Armando Romero Rivas received the following chemical training:

1. Terrain strategy
2. Decontamination of toxic substances of personnel and equipment
3. Radiological detection
4. Monitoring of different agents such as gases, etc.

The equipment used and the training was the most modern and sophisticated Soviet materials. The training was conducted by Soviet instructors and Cuban cadres trained in the Soviet Union. During training, pictures of U.S. cities were shown as possible NBC targets. Mississippi was shown as a major target capable of contamination for 1/3 of the United States if the toxin plant that operates there were ever to explode. Training consisted of use of and effects of toxic substances of the groups, Zorin, Soman, Tabun, and VX fogging, and included the use of White Phosphorus, Napalm, Termite and other incendiaries.

Biological classes included the use of insects, germs and bacteria using rats, flies and Tsetse fly, roaches and contamination of fills and water sources and the use of capsules, etc.

The principle school of chemical warfare is in the town of Libonar, in the Province of Matanzas.

The Cuban Army contains a battalion of chemical warfare trained people, it has 4 companies of 94 men each and it has 3 command posts, 1. the General Staff in the Plaza de la Revolucion in Habana, 2. at Guajay, Havana, 3. Escuela de Tropas Especiales Quimicas in Matanzas.

Location of Storage and Soviet Logistical Bases

The most important is located near Jose F. Varona in Guajay, close to "CEPEM Quimico", protected by

camouflage, vegetation and 3 underground missile sites. In Guanabo near Beach Campo Florido, under the cover of a spare parts warehouse, "as a deception measure", there is an underground atomic shelter with a filtered air ventilation system to provide shelter for high Soviet officials and other members of the Soviet bloc. These facilities were toured by the subject making the statement.

In Matanzas concrete bunkers with underground storage facilities with radioactive isotopes and other radioactive elements such as RP-2. These underground facilities are controlled in their entirety by Soviet personnel dressed in white coveralls. They also have a large group of chemist professors, and all of these facilities are not possible to detect from the air.

He stated that the nuclear weapons are in the hands of the Soviets in Cuba and that in 1974 the Soviets sent their first Atomic Reactor to Cuba and that only high ranking officials of the Cuban hierarchy and Russians have access to this type of information. Radioactive material is obtained in Cuba by the bombardment of aluminum sheets and this process is done by foreign personnel.

ROSEL, Walfrido Ulises

First Lt., administrator of the El Morro Club
 Date of birth - October 12, 1947
 Member of the Communist Party of Cuba

This individual identified various missile bases in Cuba, he has attended the Cuban Superior War College. He also stated that he has been assured by high Soviet military officials that Cuba has been provided with same weapons systems that the Soviets have to attack the U.S. The subject attended the Superior War College of the FAR. From 1977 to 1978, he participated in the

training of Angolans, Ethiopians, Syrians and Chileans.


In 1979-80, they trained Nicaraguans, Guatemalans, Salvadoreans, and people from Mozambique. The courses are comparable to 1 year of guerrilla training, urban and rural, logistics, psychological operations, security and military tactics at the regimental level.

This subject left on a boat from the Rio Almendares and the Cuban navy confronted a U.S. Coast Guard ship and drew their guns on the U.S. Coast Guard ship threatening to shoot if Wilfredo Ulises Rosel was not delivered to them on the high seas. Thus, creating a confrontation with the U.S. over this incident.

It appears that Soviet troops are in Cuba on a permanent base status to defend, protect and provide security to their strategic capability weapons systems and communication complex which is part of the strike potential to the U.S.

We might add that their presence has given a decided psychological effect to boost the Cuban government's revolutionary movements throughout the world which they are creating and fermenting to bring about revolutions.

1638

 V. ALLEN

D-1
June 30, 1980

MEMORANDUM FOR GOVERNOR REAGAN

CC: Messrs. Casey and ~~Messy~~

FROM: Dick Allen

SUBJECT: Bill Van Cleave's Meeting with White House National
Security Council Official

Bill Van Cleave's meeting with General Jasper Welch, one of Brzezinski's deputies on the NSC, is detailed in his memo, copy attached.

They are obviously concerned about your position on MX, and they're also curious about our advisory groups.

FYI, Bill is on board full-time now, and is carrying a tremendous load for us.

* * * * *

Attachment

Sat., 28 June

To: RVA

From: Van Cleave

Jasper Welch paid me a visit this morning (CPD offices), which I think was under orders.

1st, and perhaps less important, he wanted to get into my scivvies on MX -- half-hearted because he knows my position and its basis, but three interesting facets:

a) Gov. Matheson's MX statement was something of a bombshell in the White House.

b) Jasper tried to throw me a bone. He wondered if interim deployment of some Minuteman IIIs on trucks would satisfy me (us), and pave the way to support of the MX program.

c) He was fishing for RR's position on the MX program.

On c), I was very careful. I told him that RR's position to date is what he said in the Chicago speech, that we should have a more timely and certain solution to ICBM survivability, but whether that might be accelerating the current MX scheme, modifying it, redeploying Minuteman, or whatever, had not been decided, and probably would not be until after the election. I said that he had instructed his defense advisors to work on it, and we were doing so. I added only that our view is that the Carter Administration's indecisiveness, procrastination, and ill-fated attempts to satisfy the Soviets and SALT II are responsible for putting us in this position of facing Minuteman vulnerability.

2nd, and I imagine more important, Jasper was fishing about the advisory system and purpose. On this, I sent him back to the NSC with a very sobering report: These advisors were not recruited and appointed for PR purposes. We are serious and are already working hard in anticipation of a Reagan Administration in January. We are developing between now and January not only an overall national security program, but a specific FY 81 supplemental, an FY 82 defense program and budget, and a five year defense plan. To impress him suitably, I showed him some planning flowcharts describing a structured and orderly approach to accomplishing these things between now and January. (Plymale drew them up for me -- very impressive!)

All in all, I think I gave them something to worry about.

One last point. Apparently the Services are rebelling slightly in anticipation of a Reagan election -- their new budget and program submissions, just prepared but not released, are an embarrassment and are causing a flap at OMB.

1640



REAGAN for PRESIDENT

901 South Highland Street
Arlington, Virginia 22204
(703) 685-3400

October 24, 1980

TO: Steph Halper
Dave Gergen

FROM: Edward L. Weidenfeld

RE: Shortages of Essential Military Medical Supplies

The attached memo and documentation demonstrate that the Carter Administration's cavalier neglect of our defense requirements extends even to essential medical supplies such as bandages.

The following debate statement can be readily supported by the attached documentation:

The Carter Administration has neglected our essential defense requirements. I'm not just talking about the military hardware, I'm talking about the software essential to preserve the lives of our troops, the backbone of any military effort. For example, the existing stockpiles of field dressings, the bandages every soldier carries into combat, are so low that they could be exhausted within days.

Other examples of medical supply shortages are found in the attached Defense Week newsletter. Defense Week is regarded as an authoritative publication by the national security community. I urge you to read fully the attached 2 1/2 page memo on this subject prepared by Tom Patten.

ELW/prp
Attachments

M E M O R A N D U M

TO: Edward Weidenfeld
FROM: Tom Patten
DATE: October 23, 1980
RE: Shortages of Essential Military Medical Supplies
Due to Funding Limitations Imposed by the Carter
Administration

Attached are two documents proving that the Carter administration's reduced defense expenditures have left the supplies of bandages, field dressings, etc. so critically low that, in the event of a European war for example, our forces would be without bandages to dress wounds within a few days (probably less than one week).

The first document is a retyped version of parts of an internal memorandum dated October 9, 1980, from the office in the Defense Personnel Supply Center responsible for procuring and stockpiling essential medical supplies for all services. I have the original document, supplied to me in confidence, which can be inspected if you desire. The data is from the computer at DPSC which keeps track of Stock on Hand (SOH), Reorder Point (ROP - i.e., the point below which existing supplies should not drop without being replaced taking into account manufacturing time, possible wartime demand, etc.) predicted quarterly usage and amounts on order.

There are several items of telling significance on this document. The first is NSN 4883, the individual troop camouflage battle dressings. These are the bandages all our soldiers carry two of in their field kits. The reorder point is 2.6 million, there are only 1.2 million on hand and 1/2 million on order, leaving a critical shortage of 900,000, or more than 33%. The NATO eye wound dressings, NSN 6309, are nearly 80% short of the reorder point, counting even those "on order." These figures are symptomatically repeated for many other types of field dressing. But the most critical item is the individual field dressing described above.

The memo and the data in it are not classified.

The second item, which I discovered while researching the facts described above, is an issue of Defense Week for Monday, August 8, 1980. In that issue, Reporter Richard Barnard documents the general shortages described above and quotes Pentagon officials as to the devastating effects of these shortages. His leading sentences are most apropos:

In the debate over military readiness, most of the attention has been focused on deployment problems and military hardware -- such as multi-million dollar aircraft grounded for lack of spare parts. But a close look at the more mundane aspects of military readiness reveals a more haunting specter: U.S. servicemen and women dying during a war in Europe owing to chronic shortages of medical supplies and advance planning. The Defense Department's contingency plans for care of the wounded during an extended conflict in Europe are based on stockpiles of medical supplies which, in some cases, do not exist.

He also points out how, in the event of a conflict, the Army could not get adequate support of medical supplies from DPSC because DPSC doesn't have them.

I suggest the data should be publicized, and if an opportunity arises in the debate a statement such as the following can be readily supported by the facts:

The Carter Administration's failure to adequately provide for our Nation's defense doesn't extend only to those large items that are constantly in the public's eyes: airplanes, missiles and ships. The failure extends right down to the very critical medical supplies to treat the wounded on the battle field. The Carter Administration has restricted funding to the degree that our soldiers, in the event of a major conflict, would be left to bleed to death on the battle field because they would have no bandages to bind their wounds. Existing stockpiles of field dressings, the bandage every soldier

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carries into combat, are so low that they would be exhausted within a few days and additional bandages could not be produced in time to make up for the existing critical shortages in our supplies. The adage "For want of a nail, a kingdom was lost" could apply today, to our country, due to the failure of this Administration.

Quotes from the Defense Week article could also be used.

T.L.P.

/cr

Attachments

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DEFENSE LOGISTICS AGENCY

INTER-OFFICE MEMORANDUM

October 9, 1980

<u>NSN</u>	<u>SOH</u>	<u>ROP</u>	<u>QFD</u>	<u>QTY DUE IN</u>	
6510-00-159-4883 4 x 7 individual troop camouflage battle dressing	1,200,107	2,646,386	123,383	554,400	(New Buy)
6510-00-201-7425 11 3/4 square field dressing for large chest wound and burns camo- flage	88,139	73,895	6,888	--	
6510-00-201-7680 skull cap and compress camouflage	49,236	62,751	5,436	21,312	
6510-00-200-3075 2 x 2 bandage compress camouflage	98,607	180,522	14,727	89,760	
6510-00-200-3080 4 x 4 bandage com- press camouflage	58,531	73,663	8,067	16,953	
6510-00-202-4000 compress used under splints	30,833	42,980	4,053	14,880	
6510-00-913-7906 2 x 5 stretch gauze for tying on ban- dages	3,047	6,696	1,284	5,904	
6545-00-853-6309 eye kit with eye pads French and English printing used by NATO (note last quarter ROP was 281,000)	84,346	512,802	50,106	36,936	

October 9, 1980
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<u>NSN</u>	<u>SOH</u>	<u>ROP</u>	<u>QFD</u>	<u>QTY DUE IN</u>
6510-00-582-992 stretch gauze for securing bandages	60,567	132,093	18,051	76,728
6510-00-582-7993 stretch gauze for securing bandages	52,252	91,504	18,408	55,728

- SOH = Stock on Hand
ROP = Reorder Point
QFD = Quarterly Forecast of Demand
QTY DUE IN = That amount presently under contract or about
 to be placed under contract for delivery

Inventory Management Branch
Supply Operations Division
Directorate of Medical Materiel
Defense Personnel Supply Center
Philadelphia, Pennsylvania

DEFENSE WEEK

Monday, August 18, 1980

Volume 1, Number 20

A Hidden Readiness Problem:

Medical Supplies And Personnel Running Short

By Richard Barnard

In the debate over military readiness, most of the attention has been focused on deployment problems and military hardware—such as multi-million dollar aircraft grounded for lack of spare parts. But a close look at the more mundane aspects of military readiness reveals a more haunting specter: U.S. servicemen and women dying during a war in Europe owing to chronic shortages of medical supplies and advance planning. The Defense Department's contingency plans for care of the wounded during an extended conflict in Europe are based on stockpiles of medical supplies which, in some cases, do not exist.

In recent interviews with *Defense Week*, several of the Pentagon's senior health care officials revealed that:

- The Defense Department's war plans for Europe predict a fast, intensive, heavy-armor conflict with higher casualty rates than U.S. forces experienced in previous wars. Over the last five years, casualty forecasts have risen repeatedly as the war plans were routinely updated. Yet war reserve stocks of some medical supplies—such as field dressings and certain drugs—have been allowed to deplete over the last

three years due to lack of funding.

- The Army is short of many of the medical supplies which it should store in Europe for the first days of a conflict. The Air Force, which has far fewer people in Europe, is in relatively better shape.

"In the event of war," said a top DOD official, "this lack [of supplies in the U.S. and Europe] would leave someone with some rather ruthless decisions to make about allocations."

- European Command officials, who would operate the medical supply system during a war, are not involved in peacetime preparations such as selecting the types and amounts of supplies to be stockpiled, or planning how they would be allocated.

- There is a severe shortage of space in Germany for storage of medical supplies (not to mention bombs and bullets). This

is one reason why the Army stores much of its war reserve medical supplies in a single warehouse in Pirmasens, Germany, rather than near its combat units. Most Air Force stockpiles are located at or near Air Force bases.

- The services' plans for raising the quantity of medical supplies to the levels needed in a war rely partly on the "surge capability" of private industry to rapidly produce large amounts of material on short notice. In some cases, that capability does not exist.

A general with more than 26 years of experience in military medical care told *Defense Week* that these shortcomings "lay the groundwork for a potential disaster" should a conflict occur.

Stockpiling medical supplies is difficult and complex. The Defense Department maintains two basic types of war reserve medical stockpiles.

Medical supplies which would be needed for the first 30 days of a conflict are supposed to be purchased and stored by each service. Some of these supplies are prepositioned in Europe. Stockpiles for an additional five months of conflict are the responsibility of DOD's Defense Personnel Support Center (DPSC). They are stored in U.S. defense depots such as the giant warehouse in Mechanicsburg, Pa.

The medical stock lists include hundreds of items from dressings and scalpels to stretchers and pharmaceuticals. For example, the Army's stock list contains 18 different line items of procaine penicillin, from huge bottles for field hospitals to small auto-injectors for medical corporals assigned to line units.

To further complicate matters, narcotics must be secured, many drugs must be refrigerated and dozens of items must be rotated out of the stockpiles as they near the end of their shelf life. Most are placed in the services' operational stocks or sold to other government agencies. When that happens, DPSC is supposed to buy new supplies to keep the stockpiles at prescribed levels. But that hasn't occurred for at least three

(Continued on next page)

years, according to John Roberts, who buys and maintains medical supplies at the DPSC office in Philadelphia, Pa.

"There has been no funding for a long time, and the stocks have been allowed to dwindle down," said Roberts. He declined to discuss supply budgets or stockpile levels, saying such information is classified.

Maj. Gen. William Augerson, Deputy Assistant Defense Secretary for Health Resources and Programs, said war reserve stockpiles have been given a low priority in recent years, compared to other medical programs such as the peacetime operation of the services' 160 hospitals and 300 clinics.

The supply shortages at DPSC leave the military services—particularly the Army—in a precarious position because their own war reserve stockpiles for the first 30 days of a conflict are far below adequate levels, according to several sources. Senior Army officials have admitted during closed congressional hearings that some of the Army's battalion aid stations in Europe are assigned insufficient and outdated supplies. Rather than maintain their own stockpiles to tide them over for the first 30 days of a conflict, the Army relies heavily on the medical stocks which are supposed to be in the DPSC warehouses. "Their plan is to swamp DPSC with stacks of computer order cards at the first sign of a conflict," a medical official explained. "The cards are already punched."

Since DPSC stocks are themselves depleted, however, it is questionable how many of the Army's orders would be filled. Ar-

my officials declined to be interviewed because, they said, most information about war reserve stockpiles is classified.

The Army's reliance on DPSC's medical stockpiles in the U.S. poses another problem: moving them to Europe. Nifty Nugget, a war game exercise conducted in 1978, showed that transporting medical supplies to Europe interfered with the movement of vital combat units.

Part of the services' stockpiling rationale is based on the presumed "surge capability" of medical supplies to rapidly produce large amounts of supplies on short notice. Calculating the surge capability of some manufacturers is, by all accounts, a very tricky business.

"We tried that during Vietnam," said a DOD official, "and found that the drug makers turn out a year's supply of amyl nitrite [an antidote for chemical poisoning], for example, then convert their factories and produce a year's supply of something else. So if you come in at the wrong time asking for the wrong stuff, you're out of luck." Other officials noted that a reliance on surge capability for some hard goods—stretchers or hospital supplies, for example—might work.

Another medical supply problem, according to several officials, is that the services are ordering most items based on their experiences in past wars rather than on their projected needs for the next one. "Medical practice changes constantly," said a Pentagon official, "and our war script keeps changing. But, to some extent, we're still stockpiling

(Continued on next page)

Defense Week Monday, August 18, 1980

"They Said It Couldn't Be Done" British Develop A New Nuclear Gyro

British defense scientists plan to make their first tests on a nuclear gyroscope later this year. They are assembling an experimental system for measuring rate of rotation by nuclear magnetic resonance (NMR), a phenomenon which has tantalized scientists working on inertial navigation systems for the past 25 years.

In principle, any device with a property which varies as a result of its being rotated in space could serve as the main sensor of an inertial navigation system. The spinning-wheel gyroscope, used since its invention by Elmer Ambrose Sperry in 1910, is still the main sensor today. The Admiralty Surface Weapons Establishment (ASWE), has recently put a second-generation ship's inertial navigation system (SINS) into production with British Aerospace. The observatory is working on a third-generation SINS using still more compact mechanical as well as electronic systems to reduce the size and cost. It hopes to have this ready by the late 1980s—it is time for Britain's Trident submarines, for example.

But physicists at the observatory believe SINS Mark 3 could find strong competition from their nuclear gyro. Their idea is to harness two properties of the atomic nucleus: the fact that it can behave like a spinning mass, with a spin that is extremely constant and characteristic of the particular nucleus; and the fact that some nuclei have magnetic properties. These magnetic properties offer a way of communicating with the minuscule "spinning wheels."

The combination of these two facts, they believe, opens up possibilities for a small and relatively inexpensive SINS which would virtually never wear out. It would have no need of the extremely high standards of mechanical precision which increasingly are proving the limitation on making more accurate SINS. Their U.S. Navy counterparts said it couldn't be done, says Peter Grantham, head of engineering and navigation at ASWE. But by early fall his researchers hope to have assembled their first experimental nuclear gyro.

The clue to their confidence, says Ted Hoy, in charge of the observatory, lies in a new superconducting sensor called the SQUID or superconducting quantum interface device, first described as recently as 1976. The observatory's calculations suggest that the SQUID is quick and sensitive enough to pick up the changes in nuclear magnetic resonance from helium-3, an isotope of helium gas, at near-absolute zero temperature. Present-day electronics cannot exploit the SQUID fully but the British researchers see no fundamental obstacle to developing the signal processing circuits needed. They have subcontracted this work to industry.

The observatory is assembling a laboratory system in which the equivalent of the spinning-wheel gyro will be a glass phial containing one half milliliter of helium-3 gas in a cylindrical cell of niobium metal, a superconductor at liquid-helium temperatures. The phial itself

(Continued on next page)

Medical Supply Shortage

(Continued from page 2)

on the basis of three bandages for every soldier." DOD's Maj. Gen. Augerson said: "We hope to develop a methodology which will enable us to base our stockpiling on casualty projections [derived from combat scenarios]. But a lot of people think it's needless to have a major go at this because we won't get the money for it."

Lack of supplies and a poorly coordinated supply system are only two of several serious medical readiness problems facing the Defense Department. Severe shortages of ambulances, hospital beds, certain medical specialists, nurses and corpsmen would spell a lack of medical care for U.S. combatants in a conflict with the Warsaw Pact.

By one estimate, for example, the Army and Air Force would face a shortage of about 4,000 general surgeons and 3,000 operating room nurses. Only 30 percent of the regular Army medical units which are authorized the manpower and equipment for CI—the highest readiness rating attainable—have achieved that rating. Many of the Army's ambulances and trucks are "redlined" because of broken axles or missing doors.

These supply, equipment and personnel shortages mean that DOD's evacuation policy would be severely downgraded during a conflict. Soldiers with vascular or chest

wounds, for example, would be evacuated within four or five days rather than 15. During the 1968 Tet offensive in Vietnam, early evacuation meant startling increases in infection and morbidity rates among the wounded, according to a series of "after-action" reports to Lt. Gen. Leonard Heaton, then Army Surgeon General.

Another result of early evacuation is that seasoned soldiers who could be treated and returned to combat are instead sent to the U.S., with corresponding declines in the combat readiness of front line units. "And you're not going to replace them with draftees from Fort Dix," says a congressional expert on military medicine. "It takes months to train a tank mechanic."

John Moxley, who was named Assistant Defense Secretary for Health Affairs in June 1979, says medical readiness "is my number one priority." He has established a medical readiness office within DOD, sought large budget increases for medical supplies and equipment, and instituted a series of planning conferences with the military surgeons general and senior medical officers in Europe. The Army and Air Force surgeons general each have made several improvements, including the purchase of some of the ambulances, field hospitals and air transportable medical suites which

Nuclear Gyro

(Continued from page 2)

contains at least 10 billion billion billion (10⁹) nuclear gyros. The superconducting cell will be wound with two coils, one to provide a polarizing magnetic field, the other to serve as the pick-up coil for the SQUID. The phial and its coils will be immersed in a cryostat at liquid-helium temperature.

The most difficult problem the researchers foresee is the need for a clock at least two orders of magnitude—100 times—more accurate than the best atomic clocks available today. Again they are thinking of a superconducting solution—one based on a precision-machined superconducting cavity resonator. Given a successful clock of this kind, they conclude that the nuclear gyro has every chance of working out "considerably cheaper than a single SINS gyro." □

are needed.

But Moxley admits that the services "are presently unable to provide adequate medical support" under likely combat scenarios. "There's no question that stockpiles are a real problem," he told *Defense Week*.

The solution, most officials agree, is not to run out and buy several million dollars' worth of medical supplies and load them on a boat for Europe. First, DOD must devise a method for determining the types and amounts of supplies to purchase.

Initial efforts are underway at Fort Sam Houston, Texas. European Command officials should be involved, however. An Army officer said: "It's rather stupid to think we can run the system in peacetime and turn it over to [the European Command] in wartime in the belief that things will run smoothly."

An obvious second step is to increase the stockpiles. In the past, the services were reluctant to spend money on medical stockpiles, said several officials, because the materiel simply sits in a warehouse. Also, opera-

tional budgets usually get first priority.

The FY 1981 budget for war reserve medical supplies is up substantially over the FY '80 budget. But at the present rate of spending, it will be several years before the stockpiles are adequate. Said a senior DOD official: "The spending that's going to be required seems massive to some people. But we're talking about the price of a couple of [\$24 million] F-14s."

The Air Force's 1981 budget for war reserve medical supplies will be increased by an estimated 35 percent over the 1980 figure. In addition, the Air Force has requested \$5.8 million for hospital beds, casualty staging areas and other new equipment for the treatment of combat casualties. The Army did not respond to *Defense Week's* request for budget information. DOD officials said the Army's 1981 budget contains \$48 million for replacement of obsolete equipment (some of which will go to units in Europe) and \$7.1 million for minor medical equipment and four field hospitals to be stored in Europe. □

Correction

In an article in last week's issue of *Defense Week* called "Here Comes A Heavier, Fancier F-16," a reference was made to the Configuration Control Committee running the weight of the aircraft up to 29,050 pounds. The figure should have been 23,360 pounds. *Defense Week* regrets the error.

Percy Pierre: Aiming To Field A "Brand New Army" In 3-5 Years

Percy Pierre speaks Pentagonesse—that synthesis of exotic names and six-figure numbers which is becoming more and more familiar to Americans paying the bills for what may be the biggest military buildup since World War II. As Assistant Army Secretary for Research, Development and Acquisition, Pierre has dozens of new weapons brewing for the Army of the 1980s. Next year, for example, he wants \$242 million for the DIVAD air defense gun, \$78 million for the Hellfire missile, \$8 million for development of a new light tank, \$621 million for the Patriot air defense system, and \$2.8 billion for a novelty called the HMMVV. These represent only one year's spending for a tiny fraction of the Army's new weapons and machines. Over their lifetimes, these programs' costs can stagger even the most hardened Washington hand. For example, the HMMVV—or high mobility multipurpose wheeled vehicle—is an Army, Air Force and Marine Corps program to develop a new line of trucks. Compared to aircraft and missile programs, it is a baby. Its cost: \$847 million over the next decade.

One of Pierre's chief jobs is to persuade Congress that many of the Army's existing weapons are outmoded and barely adequate to deal with the Soviet Army. He wants nothing less than "to field a brand new Army" within the next three to five years. The Army, he says, is "at the tail end of the most extensive R&D effort since World War II." Pierre believes that the new weapons cooking in contractors' laboratories are becoming available at a critical time, because U.S. ground forces are "facing superior hardware in vir-

tually every combat category" from tanks to transportable bridges.

Pierre can be disarmingly blunt. He admits to the Army's slipshod handling of the M60A3 tank program and quickly owns up to a multi-million-dollar error in estimating costs for a new helicopter. But he bristles at the torrent of criticism directed at the new XM-1 battle tank, which he cites as a prime example of an efficiently run Army R&D program. He rarely passes up the chance to claim that some of the Army's new high-technology weapons will outpace even the most skeptical. A tiny remote-controlled aircraft, equipped with a TV camera and laser designator to search for enemy targets, flew through radar-controlled and anti-aircraft fire and escaped "without a scratch," he says. The Hellfire missile "seems incapable of missing," he claims.

And he delights in reminding listeners that Soviet weapons often resemble what the Marx brothers might achieve if they were turned loose in a lab. The Soviet T-72 tank, says Pierre, costs at least \$1 million and must be operated by teams of near-midguts. He divides the automatic loader in the Soviet T-64 tank as "a real Coke machine."

Pierre, 40, has been assistant secretary since 1977. Before that he was dean of the school of engineering at Howard University in Washington, D. C., and a research engineer for the Rand Corp. He recently discussed his R&D efforts with *Defense Week's* Richard Barnard.

Q. You have often said that the AH-64 advanced attack helicopter now being developed is vital if the Army is to do the kind of fighting expected of it, particularly in Europe. You emphasize its mobility—that the helicopter will move across a battlefield and destroy the first waves of Soviet tanks. This country has had some unfortunate experiences with the reliability of tactical aircraft. The Air Force and Navy can't get some of their planes off the ground. The helicopters used on the Iran rescue mission performed poorly. What is the reliability of the present Army attack helicopter, the Cobra?

A. I don't have the figures, but we can get some. The new AH-64 helicopter is just in development so we don't have any data on it. The Cobra has been in service for a long, long time. Our helicopters are ready. We have not had the kinds of disaster stories which you have seen with respect to the Air Force. We

can find numbers for you on reliability. [According to the Army, 76 percent of its Cobras were mission capable during the month of April. The Navy and Air Force have released far lower figures—36 percent for the Air Force F-15 fighter during 1979, for example. Until recently, the Army did not maintain mission capable rates similar to those of the other services, and this one-month figure is not a direct comparison.]

Q. The latest estimated cost of the AH-64 helicopter which you want is \$10 million per copy, or \$5.5 billion for the entire program, up from \$4.2 billion last year. Do you ascribe all of that increase to inflation?

A. A large part of it has been due to changes in the helicopter [design]. For example, the original concept was to put the TOW missile on this helicopter. But we switched to the Hellfire missile. Originally, the target acquisition and designation

system and the night vision system, which are very expensive items, were to be developed on another helicopter. But we changed our minds. So the two main causes of increased costs have been the changes in the configuration of the aircraft and inflation. There has been some cost growth in real terms, but that has been minor.

Q. You said in your annual report to Congress that the Hellfire anti-tank missile being developed for the advanced attack helicopter "seems incapable of missing." How do you know?

A. That's the impression of the soldiers who are testing it. I remember that statement because it was carefully worded.

Q. But if you compare the accuracy of the Hellfire to that of the Navy-Air Force Sparrow, which kills perhaps three out of 10 targets, would Hellfire be better?

6 The XM-1 tank has received more attention than even more expensive systems which have had more problems. The reason is because of the emotional role it fills as the symbol of the Army. As a development program, it's been more successful than the average development in this building, believe me. 9

A. Oh, sure, sure. Perhaps we can give you some numbers on it. [An Army spokesman declined to provide test results, explaining that they were tentative "and not indicative of the missile's performance."]

Q. There are several examples of recent increases in Army weapons systems: The Patriot air defense missile, from \$4.2 to \$5.5 billion; the Infantry fighting vehicle, from \$3.1 to \$7.4 billion; the XM-1 tank, from \$10.1 to \$12.5 billion. What can be done to restrain the increasing costs of new Army weapons?

A. The Army in the last few years has had a particular problem with cost control because we've had a large number of systems moving from development to production. We're going through a tremendous modernization effort. When you have a weapon in development, you try to estimate the production cost. But these estimates are based on paper studies. As we begin to design the factories to build these systems, like the XM-1, we get better estimates. A lot of the uncertainties are resolved. And once we've been in production for two or three years the costs stabilize. Our paper estimates were poor in some cases. Holding down the costs is a problem that we always have. It requires a lot of work.

Q. But what is the political wisdom of giving out such weak 'paper' estimates? Does the Congress and the public know what you're giving them when you estimate the costs of a system to come out in '84 or '85?

A. Rep. Jack Brooks [D-Tex., Chairman of the House Government Operations Committee] held hearings on just this issue. First, he found that the Defense Department did a better job of predicting costs than anybody else in the federal government. Second,

he recognized that it's impossible to accurately estimate the costs of production programs that will last for 10 years. The variables include inflation, the quantities we intend to buy, [design] changes. His committee suggested that we give the Congress ranges of estimated costs—50 percent, plus or minus. We have not adopted that suggestion. But surely that hearing illustrated that at the beginning of design and production, we ought to expect soft estimates.

Q. The Army says it wants to put the 120mm German gun on the XM-1 tank beginning in 1984 to deal with the armor on the Soviet T-80 tank which you expect in the field soon. You asked for \$221 million. Conferees on the defense authorization bill gave you \$62 million. In the meantime, you're putting the U.S. 105mm gun on the XM-1. But you are also developing an advanced round for the 105mm which supposedly can penetrate the armor expected on T-80. Is this true and, if so, why do you need the 120mm gun?

A. There are those who would argue on many different sides of this issue. I start from the very simple

premise that a bigger gun is going to do more than a smaller gun. I have found no one who would challenge that. This is an issue of national defense. What risks do we want to take with respect to the tank capabilities of this country in the late 1980s? The top management of the Army has decided that the risk of staying with the 105mm gun is too great because the promise of what it can ultimately do is just that: a promise. The promise will not materialize, if ever, until 1984. We can't wait that long. We've got to act today so that in the late 1980s our tanks will have better capability whether or not the better 105mm round is produced. We're working on that round because we will have 105mm guns [on about one-third of the XM-1s and all M60 tanks] even in the late '80s and '90s. The thing that drives the decision to go with a 120mm gun is that it will do more. That is solid.

Q. But the existing 105mm round, the XM-774, can penetrate the armor you expect in the T-80, and the new round which you are developing is expected to do an even better job. Correct?

A. A lot of this is classified. If I told you exactly what the 774 will do and exactly what we think the T-80 will do, that would not be wise. So I will simply deny the statement you've made.

Q. I interviewed Rep. Jack Edwards [R-Ala., a member of the House Appropriations defense subcommittee] not long ago and we discussed the rescue mission in Iran. He said, 'When I heard about those helicopters going down, I started wondering about our new tank. What he would be happening if it was running around in that desert sucking up all that sand?' What is your answer?

A. We tested the XM-1 initially in



6 *The Army in the last few years has had a particular problem with cost control because we've had a large number of systems moving from development to production. We're going through a tremendous modernization effort.... 9*

perhaps the dustiest environment we could find in this country. Fort Bliss, Texas, is a semi-desert environment. Lots of dust, lots of sand. If you bury the tank in a mountain of sand, it's going to stop. But is it more vulnerable than our current tank? I don't think so.

Q. *And you now have seals which keep the sand out?*

A. Yes, yes. The mechanical problem of keeping sand out of the engine is not a great technological problem.

Q. *The last report I read is that the XM-1 breaks down about every 145 miles. Has that improved?*

A. The last test we had at Fort Knox showed a mean time of approximately 290 miles between mission failures. We're aiming at about 300 miles.

Q. *Do you now have a tank that can be produced without further major changes?*

A. You ask whether there will be major changes in the future. There have not been major changes in the past. It only seems that way, because of the amount of attention it gets. This tank has received more attention than even more expensive systems which have had more problems. The reason is because of the emotional role it fills as the symbol of the Army. As a development program, it's been more successful than the average development in this building, believe me. It has not been, as people have indicated, the worst example of development in the Pentagon.

In 1976, we selected the turbine engine for the tank. It was always a candidate engine. In 1978, we selected the 120mm gun for the tank. It was always a candidate gun for the tank. So the tank we have today, in terms of its major components, is one of the versions of the tank that we thought about in the

beginning, in 1972. The first tank which rolled off the line in February 1980, rolled off on the date we predicted in 1972. The XM-1 program has been more successful than most.

Q. *Are you still going to get your production rate up to 30 tanks per month this year, as you forecast?*

A. We expect so.

Q. *Do you know of any reason that will keep you from reaching that goal?*

A. No. We are in a period of tight supply. Our vendors for the engine, the transmission and other parts have had difficulty getting pieces they need. But I think we'll make the 30-per-month [rate] on time.

Q. *The vendor problem—does that include supply of the fire control system made by Hughes Aircraft Co.?*

A. The component which slows production changes from time to time. The fire control system has been one we're concerned about.

Q. *That's the same problem you've had with the M60A3 battle tank. Are we now going to see XM-1s coming off the line with no fire control systems?*

A. I don't see that happening and I would be furious if it ever does.

Q. *You're developing the infantry fighting vehicle [IFV] to do many of the jobs now handled by the M113A armored personnel carrier. Is the protection against land mines better in the IFV than in the M113A?*

A. The driver's seat and area have been hardened. I know that was an issue at the Defense Systems Acquisition Review Council. And we're going to conduct some tests to establish its protection level. The tests were delayed because we don't want to blow up our prototypes

right away. There are other tests we want to do first.

Q. *In the films of Vietnam, you always see the soldiers riding on top of the M113A, rather than inside. Were they afraid to stay inside for fear of mines?*

A. On a high intensity battlefield with a lot of artillery fire they would not be riding on top. Obviously, in Vietnam, they were not concerned about artillery fire. But these systems are designed to operate in an environment where the soldiers would love to be inside.

Q. *Is the IFV easily destroyed by a handheld rocket?*

A. The IFV has no protection against a tank-killing missile or any large caliber weapon. It's not designed to stop the large caliber weapon. It should stop small caliber weapons and have some protection against artillery fire, but nothing large caliber. It's not a tank.

Q. *It is being designed to travel at 45 mph and keep up with the XM-1. Other than that, what is the need for this vehicle?*

A. The vehicle has some very important roles. For example, it will have a TOW missile, so it's a part of the thickening of anti-tank missiles on the battlefield. That's an important role. At close quarters, it has a 25mm cannon, which is a very effective weapon against lightly-armored vehicles. Of course, it carries troops from one point to another. In addition to being a taxi, it is a weapon system which improves the base of fire.

Q. *You've said that the T-72 battle tank costs the Soviets \$1 million each to manufacture.*

A. The T-72 is a very sophisticated tank. It's got an automatic loader. We decided not to put an automatic loader in our tank because it would be too complex

and too expensive. It's got advanced armor. It's got a very big gun, a 125mm. It's got ammunition for that gun. So why should it be cheap?

Q. So if the Soviets are manufacturing 2000 tanks a year...

A. They're spending a lot of money—a lot more than we are. Some of their systems are somewhat simpler than ours. But to characterize all of their weapons as simple and cheap—that's not accurate.

Q. You've opted for concurrent development in the Army. Basically, that means you begin producing a new weapon before development is completed, and you improve the design as you go along, changing the production models as necessary. You've been criticized by Congress and the General Accounting Office for going too fast. Have you backed away from concurrency?

A. No. I had the opportunity to visit Boeing a few months ago. They're designing some new airplanes and they have the most concurrent system I've ever seen. They started getting the factory ready even before they had completed the design of the airplane. So I would suggest that concurrency is the norm. In the early 1970s, through bad management, we had things going into production before they had been proven out. So the pendulum swung to one extreme: fly before you buy. The other extreme is to commit yourself totally from day one.

We're somewhere in the middle. We begin getting ready for production as we complete an engineering development program but before we thoroughly test the weapon. This sometimes involves hundreds of millions of dollars. In a sense, we risk that money before we test the

weapon. But that's not totally accurate because we're testing the weapon continuously in engineering and development. If we waited until the prototype was thoroughly tested before we spent one dollar on production, we would add two years to most of our weapons development programs. It would cost the taxpayers too much money. [Complete separation of development and production] is a very inefficient way of doing things because you have a tremendous disruption of activity as development ends and production begins.

Q. The Army is buying laser guided fire control systems for its M60A3 battle tanks from Hughes Aircraft Co. and Kollsman Instrument Co. Production of these systems has been slowed because of design changes. There are now about 400 tanks sitting in a field near Detroit waiting for fire control systems. Is this an example of concurrent development?

A. That's an example of rushing to production before we knew exactly what we wanted to produce. We asked Hughes to put together a model which could do the job. They did and it was put on the shelf for awhile. Sometime later, we rushed back and said, "Produce that thing." No production engineering had been done. We started production without any thought about how it ought to be produced. As a result, there were tremendous changes required as we got into production. As a result, we went to a second source, Kollsman. We sent them [design] changes daily. The development of the A3 fire control system did not include the kind of engineering and preparation for production that would occur in a concurrent program.

Q. What's a good example of

concurrent development and production?

A. The XM-1 is a good example. We came out with a good vehicle on time. If we had done it nonconcurrently, it would have taken 10 years rather than seven to get it out. Another good example is our multiple launch rocket system. It was an accelerated program, and Boeing and Vought both produced excellent systems. We're in simultaneous production.

Q. You obviously feel the Army has done a good job with the XM-1. There are those in Congress and the press who think differently. What are your private thoughts about all the criticism?

A. It's extremely unfortunate that the American people are under the impression that millions of their dollars have been spent to produce an unworthy tank. It's extremely unfortunate that a few vocal critics have managed to get the attention of the media and create the impression that their government has wasted their money. It's not true.

Q. You're in the midst of development of the Infantry fighting vehicle, which is going to cost almost as much as the XM-1 tank. Is there anything you can do differently with this system so far as public opinion is concerned?

A. I don't see what we could have done differently on the XM-1. We had the misfortune of having a few extremely vocal critics who persuaded the media to run their criticism with equal weight to all of the opinion of the rest of the Congress. Every vote on the XM-1 showed that the majority of the members supported it. The General Accounting Office has criticized it harshly, though no more so than other weapons systems. But a few critics captured the attention of the media.

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Light Reading...

A Prodigious Thirst...

To most people who deal with military matters, the word "port" conjures up an image of naval affairs. To the commander of the British Army of the Rhine's 3rd Armored Division, however, the word smacks of trouble. General Henry Leigh Dalzell-Payne was charged recently with smuggling port wine from Europe into England. A customs' officer in Dover told an English court the week before last that the 51-year-old general was nabbed in March trying to sneak 35 cases of port into England. Dalzell-Payne, incidentally, holds the Order of the British Empire (OBE).

The Final Presidential Solution

The most macabre candidacy of the political year surfaced at the Democratic National Convention in New York last week. As the delegates were debating the MX missile, slick leaflets began circulating in the press galleries. "In the field of contenders for the office of President," the leaflets read, "there is one candidate who stands out as different. Lieutenant William Calley is that candidate."

The leaflet is a spoof and presents the positions of the perpetrator of the My Lai massacre on a range of issues. On the subject of defense, the leaflet says that "William Calley believes the best defense is a good offense. Time and again, he has forcefully advanced the American Dream by taking the offensive abroad and the defense at home." On Iran, the leaflet announces, "Calley opposes the taking of hostages. If he were in Khomeini's place, the problem would have been expediently resolved at day one." The leaflet crows: "Calley can fight through the senseless mass of bodies of legislation presently confronting the nation...." And on gun control, the candidate's position is that it stands "no chance."

The Calley candidacy—slogan: "America's Final Solution"—appears to be the work of Cornell University students.

The Case Of The Missing Name

In a recent report by the Congressional Research Service (*Air-To-Air Missile Requirements, Inventories and Alternatives: A Brief Analysis*), the Air Force struck a modest blow for national security. It has declared a person's name to be classified.

In a footnote to the report, the author quotes a remark by General Hod of the Israeli Air Force. Hod's comment was deleted. The source for Hod's comment—a person interviewed by the author of the Congressional Research Service report—was deleted as well. *Defense Week* inquired among people familiar with Defense Department classification procedures and was told that "there is some precedent for this. Titles of certain projects have been classified in the past. In some cases, the knowledge about the existence of a certain project could be considered detrimental to national security.... But there's no way that release of an individual's name" could damage national security, he added. "The more likely explanation is that the Air Force was afraid Congress would try to interview this individual to find out what General Hod said."

Defense Week asked what level of clearance would be required to find out the deleted name. "You'd need an 'R' clearance," said one Air Force official familiar with the missile report. An 'R' clearance?, inquired our unsuspecting reporter. "Yes, 'R.'" came the reply. "That's 'R' for ridiculous. You have to be cleared for ridiculous to learn who this individual is."

Quick And Costly Versus Slow And Cheap: The Sub Debate Rages On

The House and Senate conference on the 1981 weapons authorization bill has approved \$2 million for development of a small, conventionally powered submarine—thus assuring that the debate about the purpose and cost of the Navy's attack submarine force continues. Defense and congressional leaders appear equally divided on the issue. Some favor stepped-up construction of the Navy's present SSN-688 *Los Angeles* class of nuclear-powered subs. Others want a new diesel-electric sub which, proponents say, can perform most missions as well or better than the nuclear-powered boats at far less cost.

Both sides agree on the Navy's goal of attaining 90 attack submarines by the late 1980s. There is little agreement, however, on how to reach that target. Currently the Navy has 78 attack subs, including 10 new SSN-688s, the first of them commissioned in 1976. The primary job of attack subs is to track down and destroy enemy submarines. All sides in the debate appear satisfied with the performance of the *Los Angeles* submarines. They are far faster and quieter than the *Sturgeon* class of subs which they were designed to replace and, it is generally agreed, are better than the Soviet subs which they are supposed to track and kill.

The Navy originally planned to build 37 SSN-688s. But that was in the mid-1970s, when they cost \$221 million each. By 1977, the cost was \$330 million, and the Defense Department reduced its five year buy of the *Los Angeles* class boats from eight to five. The estimated cost of the single SSN-688 in the FY 1981 budget is \$449 million, promp-

ting Defense Secretary Harold Brown to state: "It has become apparent that there is a need to develop a lower-cost attack submarine" if the Navy is to maintain its present fleet size, much less expand it.

A less expensive submarine inevitably means a smaller power plant and, therefore, a slower boat. David Mann, Assistant Navy Secretary for Research, Systems and Engineering, says the Navy's fleet of attack subs need not consist entirely of high-speed nuclear boats. A smaller, slower sub with a diesel-electric power plant, for example, would have at least two qualities not available in the SSN-688: quietness and stealth. It could detect and attack enemy subs without being counter-attacked, he maintains, and could perform all attack sub missions except for escort of a high-speed task force. The cost? Roughly 25 percent less than the SSN-688, or a saving of about \$112 million per boat.

To Adm. Hyman Rickover, the Navy's deputy commander of nuclear propulsion, that kind of thinking is madness. In submarine warfare, he says, "speed is vital." A reduction of five knots in the speed of attack subs means they would be unable to keep up with and attack most Soviet nuclear attack submarines or high-speed surface ships. If a fast nuclear powered sub fires a weapon or otherwise divulges its presence, high speed affords a far better chance of escaping, Rickover maintains. Citing press reports of a new Soviet attack sub capable of speeds over 40 knots, Rep. Melvin Price (D-Ill.), chairman of the House Armed Services Committee, says that Brown's intention to produce conventionally powered subs "flies in the face of all expert opinion."

The recent House-Senate conference appears to be a victory for devotees of faster subs. Authorization for the SSN-688s was doubled from about \$500,000 to \$1.1 billion, enabling the Navy to fund two Los Angeles class subs in the FY '81 budget, rather than the single boat DOD requested. Whether the appropriations committees will go along remains to be seen.

A Personal Note From The Commander In Chief Swings Democrats Behind The MX

By Kennedy Malta

The appeal to the delegates was made, the hand-written note said, "as Commander in Chief of the American armed forces." It stated: "It is crucial that our strategic nuclear forces not be vulnerable to a pre-emptive Soviet attack. The MX missile system is our optimum means of meeting these vital goals. We Democrats must demonstrate to our nation and to the world that we are committed to defending our country, and to concluding a balanced nuclear arms control agreement. Therefore, it is very important for you to vote NO on minority report 20 and 23." The note was signed "Jimmy Carter."

This unprecedented appeal—The New York Times said it was the first time a President has dispatched such a communication to individual delegates at a party convention—had the desired effect. The delegates rejected by a vote of 1,874 to 1,276 a move to put the Democrats on record against deployment of the MX. By voice vote they also rejected a call for a freeze on testing and deployment of nuclear weapons, which had not been the subject of personal lobbying by the Commander in Chief.

The Administration was fearful of losing on both issues, but was particularly concerned about the MX vote. Supporters of Sen. Edward Kennedy (D-Mass.), delegates from western states where the giant missile system would occupy millions of acres, environmentalists and critics of the military combined to lobby for the minority reports. Minority report 20 opposed deployment of MX outright. Minority report 23 opposed "accelerated development," arguing for study of other alternatives including submarine basing. Both had been only narrowly defeated in June when the draft platform was created.

Delegate Joe Smith, a Carter supporter from Oregon, was the sponsor of the minority reports and spoke for them during the platform debate last Wednesday. Smith argued that the missile system, designed to protect nuclear ballistic missiles from Soviet attack while permitting their numbers to be verified by the Soviets, will lead to a "launch on warning" strategy in the

Kremlin.

Smith noted that MX has two aspects, one defensive and one offensive. He said that the defensive aspects—the "shell game" intended to thwart Soviet attack—have received most of the attention so far. "It's the offensive capacity of the MX, however, that needs focus," Smith said. He argued that the key capability of the MX is accuracy—measured in hundreds of yards instead of the half-mile accuracy of the Minuteman missiles it will replace. "There can be only one reason for spending billions of dollars for such a weapon," Smith said. "It is to let us shoot at Soviet missile silos while they still have missiles in them. In other words, the MX is a first-strike weapon."

Joining Smith in arguing against MX was retired Rear Admiral Eugene LaRocque, director of the Washington-based Center for Defense Information. La Rocque told the delegates that Administration insistence on deploying MX, combined with the new doctrine of targeted attack rather than mutually assured destruction, scares him profoundly. The two actions together are evidence of a new bellicosity that may lead to war, he said. "In the United States," he said, "many people do not want to believe nuclear war would result in total destruction. To most Americans, winning a nuclear war has become more important than avoiding it. Many fail to comprehend that nuclear war will be dramatically different from past wars."

(Continued on next page)

The NPT: Can It Survive 1980?

By Ann MacLachlan

The nuclear Non-Proliferation Treaty—the mechanism by which 114 nations have pledged to help stop the spread of nuclear weapons and eventually banish them altogether—is facing its most serious threat since it was initiated in 1968.

U.S. officials admit openly that the second NPT Review Conference—which opened last week in Geneva, Switzerland, and is scheduled to conclude September 5—will be “difficult.” While the U.S. hopes to emphasize the positive aspects of the treaty, to strengthen it and to offer incentives for adherence, a testy and contentious group of developing nations is mounting a counteroffensive aimed at preventing any further restrictions on their use of nuclear energy—and threatening anarchy if they are not heeded.

The U.S. delegation lost a key battle last week when the conference—attended so far by about 60 of the parties—elected Ismat Kittani, deputy foreign minister of Iraq, as chairman of the three-week affair. The U.S. and, to a lesser degree, its allies, had supported reelection to that post of Inga Thorsson, Sweden’s Undersecretary of State.

Thorsson is credited with singlehandedly saving the

first NPT review conference in 1975 from deadlock between the nuclear weapon states’ bloc (who commanded 20 votes) and the ‘Group of 77’ non-aligned countries’ bloc (who mustered 30 votes, not enough for a majority). Thorsson cut the Gordian knot by presenting her own version of a final declaration that was accepted by consensus on the closing day of the 1975 conference. This year, however, the Group of 77—whose ranks have swelled to over 100 nations—managed the election of one of their own to head the NPT review, with the aid of the Socialist bloc.

What the election of Kittani—a longtime Iraqi delegate to the United Nations—will mean for the 1980 conference is unclear. The conference adopted as its first order of business a review of the safeguards procedures of the International Atomic Energy Agency (IAEA), which carries out inspections of civilian nuclear facilities worldwide to make sure they are used for exclusively peaceful purposes. This is a relatively uncontroversial issue in the context of the NPT. However, the conference eventually will have to turn to Articles IV and VI of the treaty, which pledge the nuclear powers to make the benefits of peaceful nuclear energy available to signatories and to work as rapidly as possible toward complete disarmament. It is on the implementation of

Democrats And MX (Continued from preceding page)

The Administration rolled out its big guns to counter the proponents of the minority planks. Defense Secretary Harold Brown not only spoke against the minority reports (in an emotionless monotone), but actually worked the floor, trying to persuade delegates on a face-to-face basis.

The most effective public speech came from House Majority Leader Jim Wright of Texas. Wright said “it would be hard to imagine a more self-destructive course than for the Democratic Party at this juncture in history to repudiate the MX missile and retreat into a shell of military complacency. To take that course would be to send across our land and throughout the world a message of weakness, vacillation and irresolution. Such a signal to the Soviet Union, embarked upon its brutal path of aggression in Afghanistan and engaged in its dangerous game of adventurism in the Middle East, could be disastrously wrong at this particular time.”

As Wright spoke, Interior

Secretary Cecil Andrus was endangering his environmental credentials by twisting arms in the Ohio delegation. He argued that the MX missile system was more than a defense program. It was, he said in an appeal to the most basic emotion of Ohio Democrats, a jobs pro-

gram.

The strong and successful effort on the MX issue left some Kennedy delegates astonished. “I don’t understand how the President can lobby so effectively at a party convention and can’t do it on Capitol Hill,” said a Connecticut delegate.

Lockheed Gives New C-5A Wing Its First Flight Test

The Lockheed Corp. has conducted the first test flight of a C-5A transport with its new and stronger wing. The second flight is scheduled for today (August 18). The initial flight of 4 hours, 26 minutes was completed last Thursday at Lockheed’s facility in Marietta, Ga. In late July, Lockheed received a \$68 million contract from the Air Force to provide new wings for all 77 of the giant transport planes. Material and design deficiencies in the original wings limited their safe service life to about 7,100 flight hours, compared to a life expectancy of up to 46,900 hours for the non-wing structure of the aircraft, according to William Perry, Undersecretary of Defense for Research and Engineering.

The C-5A with new wings will be subjected to 55 hours of flight tests by early December. It will be flown then to Dover Air Force Base, Del., for further tests, including operational missions for the Military Airlift Command. A second set of modified wings has undergone 38,000 hours of static tests with no sign of faults or cracks, according to Richard Martin, a Lockheed spokesman.

Defense Week Monday, August 18, 1980

those articles (or lack of it) that the sparks are likely to fly.

Already at the first review conference in 1975, non-nuclear-weapon states voiced extreme disappointment that the nuclear powers had not lived up to their disarmament commitments under the treaty, and rancor that they were being denied the peaceful transfer of nuclear technology despite adherence to the NPT.

Some of the Group of 77 countries continue to charge that the NPT is "discriminatory in both its scope and its implementation" and that—rather than having a positive effect on the worldwide development of nuclear energy—"it is being used mostly as an instrument to hinder the transfer of nuclear material, equipment, and technology." Moreover, they charge, it has had no impact on nuclear weapons proliferation, "which continues unabated." Thus now, more than ever, these nations are asking what good it does them to adhere to the treaty. Yugoslavia has openly threatened to withdraw. At the opening sessions of the review conference this year, Peruvian delegate Felipe Valdivieso said, his government, too, was considering renouncing the treaty. U.S. officials generally dismiss such statements as posturing, but the fact remains that they hardly make the NPT look more attractive to potential members.

In such a climate of confrontation, the U.S. will have to tread gingerly in Geneva. A top U.S. arms control official who has worked on the NPT from the beginning says his delegation will aim to prevent the conference from becoming "a disastrous, contentious thing," to make sure "it is a balanced review" and that the final declaration includes a positive assessment of the treaty. Absent this, he acknowledges, getting key countries like Spain and South Africa to sign will be well-nigh impossible (both of those countries, as well as Argentina, are likely to attend the conference as observers, and Washington sources believe they also are rather close to NPT adherence).

In the opening days of the conference last week, Soviet President Leonid Brezhnev and U.S. President Jimmy Carter accentuated the positive in messages to the NPT reviewers. Brezhnev's statement pledged the USSR never to use atomic weapons against non-nuclear countries (even non-signatories, unlike the U.S. position) and said his country would sign treaties to that effect. President Carter stressed that "proliferation is only one aspect of the problem of controlling nuclear weapons," and that "we must also vigorously pursue our efforts to curb the nuclear arms race. This goal—already difficult to achieve—could be rendered unattainable if the number of states with nuclear weapons were to increase."

Ralph Earle II, director of the Arms Control and Disarmament Agency (ACDA) and leader of the U.S. delegation in Geneva, reported "marked progress" toward achieving a Comprehensive Test Ban (CTB) treaty, with "many difficult hurdles" overcome since the last NPT review conference in 1975. In a recent report to the UN Committee on Disarmament, the U.S., UK and USSR, parties negotiating the CTB, listed several of the areas where essential agreement has been reached. Among these are the issues of verification (to be achieved via "national technical means," as the

(Continued on next page)

NPT: Its Origins

The NPT—officially the Treaty On The Non-Proliferation of Nuclear Weapons—was passed by the United Nations General Assembly on June 12, 1968 after nearly 10 years of international debate on the merits of such a measure. Its specific origins date back to an Irish resolution adopted by the General Assembly in 1959 which was strictly geared toward preventing the spread of nuclear weaponry. It also traces some roots to the U.S.' unsuccessful efforts to control proliferation through the Baruch plan in the late 1940s, when the Americans still had a monopoly on the atomic bomb.

Final agreement on the treaty was long delayed in the late 1960s by disagreements between the U.S. and the USSR. The Soviets sought to prevent the U.S. from sharing its nuclear weapons with NATO allies (especially the Germans) for defensive purposes. Gradually these problems were resolved and on August 24, 1967, the two countries presented identical drafts to an 18-Nation Disarmament Conference. The non-nuclear-weapon states insisted on the addition of articles assuring their security and access to the benefits of peaceful nuclear energy, in exchange for a pledge to forswear nuclear weapons.

After UN approval, the NPT was open for signatures. On July 1, 1968, the United States was one of 62 nations to sign. Ratification followed on March 13, 1969. By 1975, when the first NPT review conference opened, the NPT had been ratified by 83 parties and signed by another 29. Today more than 110 nations are parties. Twelve do not include two nuclear-weapon states, France and China, nor a number of other states interested in nuclear energy and perhaps in nuclear weapons. This group includes Argentina, Brazil, Cuba, North and South Korea, India, Israel, South Africa, and Spain. France, while refusing to sign the treaty for historical as well as philosophical reasons, has acted in accordance with its precepts.

For what is always described by U.S. officials as the major cornerstone of American nonproliferation policy, the NPT is a deceptively brief and simple document. It consists of a preamble and 10 substantive articles. The preamble states the beliefs on which the treaty is based and underlines the dangers of nuclear war and of the spread of nuclear weapons.

Article I commits the nuclear-weapon states not to transfer to "any recipient whatsoever" nuclear weapons or control over such weapons, either directly or indirectly, nor to encourage or aid in their manufacture.

Article II contains a corresponding commitment from the non-nuclear-weapon states not to receive, manufacture, or acquire such weapons.

Article III provides for international safeguards and inspections on all nuclear material or equipment transferred by NPT parties, and for non-nuclear-weapon states to accept full-scope safeguards on their nuclear programs. Safeguards agreements are to be drawn up between the International Atomic Energy Agency and NPT parties or international organizations such as Euratom (the European Atomic Community).

Article IV provides that "nothing in this treaty shall affect the inalienable right of all parties to develop and use nuclear energy for peaceful purposes." All NPT parties have the right to the " fullest possible exchange

(Continued on next page)

NPT*(Continued from preceding page)*

Soviets wanted), adherence of France and China, exchange of seismic data, on-site inspections, and a moratorium on nuclear explosions for peaceful purposes. Nonetheless, a treaty can be 98 percent done and still far from completion, as former ACDA director Paul Warnke liked to remind optimists about conclusion of SALT II. And since neither the 1974 limited test ban treaty nor the 1976 treaty banning peaceful nuclear explosives has gone into effect formally—both being held hostage to the CTB in the U.S. Senate—the arguments on CTB progress are of limited usefulness in the current Geneva NPT talks.

U.S. officials acknowledge that the breakdown in SALT ratification by the U.S. "sure doesn't make it any easier" to deal with the irate developing countries. "I really think that will be a big problem," a U.S. delegate told *Defense Week* before leaving for Geneva. "But all you can do is present the facts as they are. Only one thing would have been worse: if the Senate had turned [SALT] down."

In his address to the conference, Earle called progress on CTB, SALT, MBFR and other arms control measures "important steps forward in what is an arduous, ongoing process...It is essential to keep in mind that we are dealing here not with abstractions, but with actual military capabilities that are acquired in support of what are perceived as vital national security interests. Consequently, the task of constraining this process—of limiting and reducing arms—cannot be treated as an abstract matter, divorced from strategic and political realities."

He also sought to emphasize the benefits of NPT adherence in terms of preferential treatment in nuclear trade and training. Among the new measures the U.S. has initiated is a program to assist several NPT parties in manpower training necessary to establish viable nuclear power programs, Earle said. On the other hand, the U.S. is seeking to have the conference endorse NPT-type full-scope safeguards (i.e., international controls on a country's entire nuclear program) as a condition of future supply commitments to any non-nuclear-weapon state. This is required by the NNPA but not by the London guidelines. Also, the Americans want the conference to adopt language committing non-nuclear states not to aid other non-nuclear states to go nuclear—a paradoxical but necessary detail.

Still, the NPT is sure to come in for real battering this year and in the future. The absence of France from its roster has done undeniable harm, since it reinforces the idea that the NPT is a mechanism to keep world power firmly in the hands of the U.S. and USSR. In a recent article in the policy journal *Commentaire*, Francois Bu-jon de l'Estang, former external affairs director of the French Atomic Energy Commission, explained France's position as a desire to "reject with vigor [the NPT's] consecration of the nuclear duopoly and the approach to...weapons control adopted by the superpowers."

Even more damaging, however, are the questions being raised about what the NPT is really good for. Third-World countries like Iraq and Libya, signatories of the

treaty, can claim with some justification that where they have lived up to their part of the bargain (so far as the world knows officially, at least), the other side has not. France is under tremendous pressure over its sale of a research reactor and fuel to Iraq under all applicable safeguards and in perfect accordance with the NPT.

A senior Administration arms control official, who requested anonymity, responds that Article IV of the treaty, as he reads it, guarantees signatories the *benefits* of peaceful nuclear energy. "But 'benefits' doesn't mean you give them unnecessarily dangerous things," he argues. "Being party to the treaty doesn't mean you suspend judgment. As a supplier you have some discretion [in serving your customers] while trying not to spread nuclear weapons." He claims that material and technology traded should bear a "reasonable relationship to the nuclear needs" of a given country—for example, Pakistan has "no conceivable need" for an enrichment or reprocessing plant before breaking ground for a single power reactor.

The NPT, he says, is "necessary, important but not sufficient for nonproliferation purposes." Added to its precepts, this official argues, must be "a sober analysis—you can't ignore the facts."

This—as the developing countries and their allies are bound to argue—is as good as saying the NPT is no good—that signatures are worthless, and that ever tighter controls must be drawn to keep nuclear weapons (and the advanced nuclear technologies that make them possible) in safe hands. It will be up to the nuclear diplomats, rather than the arms controllers, to find mechanisms to restore confidence in the international system, or face growing defiance of the NPT. □

Its Origins*(Continued from preceding page)*

of equipment, material, and scientific and technological information for the peaceful use of nuclear energy "especially in non-nuclear-weapon states and with due consideration for the needs of developing areas."

Article V assures that the potential benefits of peaceful nuclear explosives will be made available to NPT parties "through appropriate international procedures."

Article VI is a promise from the nuclear weapon states to move to disarmament negotiations "at the earliest possible date" and to work with diligence toward complete disarmament.

Article VII refers to the right of groups to conclude regional treaties on the banning of nuclear weapons.

Article VIII provides the procedure for treaty review on which the 1975 conference and the current one are based. The conferences are aimed at reviewing the operation of the treaty, not at amending it *per se*.

Article IX refers to signatures.

Article X provides for the treaty to be reviewed in 1995 to see if it should be prolonged. It also allows any party to withdraw from the NPT if it believes that "extraordinary events have jeopardized its supreme interests," with three months' notice to parties and to the UN Security Council, and with a statement of the events that have precipitated its withdrawal.

Reagan & Bush

Reagan Bush Committee

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D-361

TO: Jim Brady, Marty Anderson, Ken Khachigian, Lyn Nofziger, Mike Deaver
FROM: Bob Garrick
16 October 1980

This is the matter I discuss with Ken. Muskie is the lead off man and then this coming Monday 20 Oct - SecDef Brown will go and then if the test of the waters is favorable Carter will do something later in the week. This is from a good source and has played right with the leader off man Muskie. I pass this only for your information and then action as you see fit.

Bob Garrick

R 1343311220ZTCYN
IN-CAMPAIGN-MUSKIE
Y BOB MORTON
WASHINGTON, OCT 16, REUTER - SECRETARY OF STATE EDMUND MUSKIE TODAY ACCUSED REPUBLICAN CANDIDATE RONALD REAGAN OF ADVOCATING POLICIES WHICH WOULD HEAT UP THE ARMS RACE AND HAVE CHILLING EFFECT ON ARMS CONTROL NEGOTIATIONS.
*A MUSKIE MADE HIS CRITICISM OF PRESIDENT CARTER'S OPPONENT THE NOVEMBER 4 ELECTION IN DEFENSE OF THE PENDING S.-SOVIET SALT II TREATY WHICH WOULD LIMIT NUCLEAR ARMS.
HE SAID THE FUTURE OF THE AGREEMENT, RATIFICATION OF WHICH IS TEMPORARILY HELD UP BECAUSE OF THE SOVIET INTERVENTION IN AFGHANISTAN, WAS NOW A POLITICAL ISSUE THAT WAS 'CLEARLY AND DARKLY JOINED IN THIS CAMPAIGN FOR PRESIDENT.'
* REAGAN HAS CONDEMNED THE TREATY, SAYING IT WOULD KEEP THE UNITED STATES INFERIOR TO THE SOVIET UNION.
* MUSKIE, IN A SPEECH TO THE WOMEN'S NATIONAL DEMOCRATIC CLUB, SAID THE ARMS CONTROL PROCESS COULD UNRAVEL IF THE UNITED STATES SOUGHT TO EXTRACT GREATER ARMS CONCESSIONS FROM MOSCOW.
*THE PRESIDENT'S OPPONENT WOULD TEAR UP THIS TREATY AND DARK UPON A QUEST FOR MILITARY SUPERIORITY THAT WOULD NOT ONLY HEAT UP THE ARMS RACE BUT FREEZE THE FUTURE OF ARMS CONTROL,' HE SAID.
E 1437 BH

R 13441) LZQTZQTZSA

-CAMPAIGN-MUSKIE 2 WASHINGTON

R MUSKIE SAID HE SUPPORTED THE PRESIDENT'S DECISION TO
STAGNE FULL SENATE DEBATE ON THE TREATY AFTER THE AFGHAN
TERVENTION LAST DECEMBER BUT HE SAID THE AGREEMENT SHOULD NOW
RATIFIED BY THE SENATE AS SOON AS POSSIBLE.

"IT IS PRECISELY BECAUSE SALT II ASSURES AN APPRECIABLE
ASURE OF RESTRAINT ON SOVIET CAPABILITIES -- RESTRAINT THAT
MOST CERTAINLY WILL BE LACKING WITHOUT THE TREATY -- THAT HE
OULD RATIFY (IT) AS SOON AS POSSIBLE," HE SAID.

E SAID PRESIDENT CARTER HAD MADE CLEAR THAT WHEN THE
ATE RECONVENED IN NOVEMBER AFTER THE ELECTION HE WOULD
SULT ITS LEADERS ABOUT "BRINGING THE TREATY TO A VOTE AS
IN AS THAT IS PRACTICAL."

MUSKIE SAID BOTH THE SUPERPOWERS HAD AVOIDED ARMS
IONS WHICH WOULD BE INCONSISTENT WITH THE TERMS OF SALT II.
AS TIME GOES ON, HOWEVER, SUCH VOLUNTARY SELF-RESTRAINT
BECOME LESS TENABLE," HE SAID.

E SECRETARY SAID THE AGREEMENT INVOLVED TIMETABLES WHICH
E SET AS A PART OF THE ARMS CONTROL BARGAIN, INCLUDING A
TOCOL THAT EXPIRED AT THE END OF 1981.

AS THE PROTOCOL SHRINKS, THE BARGAIN COULD UNRAVEL," HE
D.

TER 1439 BH

Reagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

ALTERNATE SCHEDULING MEETING
September 11, 1980, 7:45 a.m.

TO: Rich Williamson

FROM: Roger Hearn

Stealth

Stef Halper indicated that he had two 4-star generals tell him yesterday that the contact between the White House and the Defense Department on Stealth was David Aaron (Brzezinski's assistant).

Adm. Garrick has suggested we use NATO's lack of military readiness as issue for over weekend using Peace Thru Strength angle. It was agreed by all that we want to be careful pushing military issues because of our negative image already of being 'hawkish'.

Civiletti

Tony Dolan will talk with Hyde and Hatch today.

Debates

Claire Durrell mentioned that "Turkey Day" will be celebrated in Minnesota over weekend with crowd expected of 50,000...Tower to be key note speaker. We could have him emphasize the debates in his remarks.

We have Baker and Rhodes on weekend news shows. We should make certain that they are thoroughly briefed on Stealth and the Debates.

Leadership by Reagan

Baker and Rhodes Dinner with Gov. Reagan on Sunday night. Our follow up press could emphasize Gov. Reagan's leadership abilities to govern the nation.

Economy

Stef Halper mentioned that the White House has a negotiating team in the Peoples Republic of China working on several important agreements, one of which is Textile Trade. This would drastically affect the textile industry in the Carolinas. We could work with local legislators in that area...possible contact is Carroll Campbell.

Attendees: Russo, Gray, Bandow, Williamson, Wallace, Durrell,
Garrick, Halper, Hendricks, Hearn, Maseng, Dolan and Stanley.

Memo

From: WAYNE VALIS Wayne
 To: Dave Hergen
 Date: 10-21-80

These notes are based
 on a Carter debate stuff
 brainstorming session --
 middle level types --
 nothing spectacular, but
 interesting -- from a
 source intimately connected
 to a Carter debate stuff
 member. Reliable.

I gave a copy to
Jim Baker. — WV

Source: WH Press Release of 6-28-82

Proposed Carter Tactics for Debate and Campaign Advertising

- 1.) Carter plans to expose Reagan flip-flops.
 E.g. Reagan's positions on tax breaks for private education:
 Before: in favor of tax credits for high school and college.
 After: in favor of credits only for college.
 E.g. Reagan's positions on bilingual education
 E.g. Reagan's position on OSHA
 Where Reagan has not flip-flopped, Carter plans to portray him as having blurred or dangerous positions.
 Where Reagan has changed his position, Carter plans to portray Reagan as indecisive, as a political opportunist, or as opposed to an enlightened set of policies (especially on such questions as ERA and Minimum Wage)
- 2.) Carter is hoping to be portrayed as the underdog in the debate. But in the week preceding the debate, he hopes to come across as having momentum.
- 3.) Carter plans to brand Reagan-Kemp-Roth as an "Alice-in-Wonderland" medicine.
- 4.) Carter is pleased with the recent statistics showing an economic upturn. But he is very concerned about the high interest rates. He plans to blame the Fed for these, but he fears that the people won't be able to distinguish between the Fed and his own administration.
- 5.) He plans to continue to harp on the warmonger issue.
- 6.) He plans to raise the age issue again. He plans to point out that when Bush was a congressman, he proposed a bill that would require mandatory retirement for congressmen at age 70. Carter hopes to point out the incongruity of the situation.
- 7.) Carter may have ads which interview Reagan's old classmates in order to highlight how old they are.
- 8.) Carter is trying to get a hold of film-clips of Reagan filming campaign ads. (He may already have such film-clips.) These clips apparently show Reagan being corrected time and again for various mistakes by voices of aides who are saying: "No, Governor, the figure is 75% and not 10%". "No, Governor, the head of the USSR is Brezhnev not Khrushchev" and similar such corrections.
- 9.) Carter may use a film-clip of Reagan asking "Who is that?" when reference in conversation is made to Giscard d'Estaing.
- 10.) Carter's people are afraid of the effectiveness of the Reagan ads which use the bar graphs showing the inflation rates and the ads which show the grocery carts.

1669

WILLIAM E. TIMMONS
PRESIDENT

MEMO



TO DICK WIRTHLIN —

THIS IS VERY
IMPORTANT !!

BT

TIMMONS AND COMPANY, INCORPORATED
800 K STREET, N.W., WASHINGTON, D.C. 20006
(202) 338-5740

for: Bill Tuma

Fy F

Wayne Valis

Memo

From: WAYNE VALIS Wayne
 To: for Baker
 Date: 10-21-80

Some
 interesting

Jim --

These are notes based
 on a brainstorming session
 attended by Carter-Mondale
 staffers (middle level types).
 They are provided by a
 very reliable source who
 has intimate connections
 to a Carter debate staffer.
 Wayne

Proposed Carter Tactics for Debate and Campaign Advertising

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Reagan & Bush

Reagan Bush Committee
901 South Highland Street, Arlington, Virginia 22204 (703) 645-3400

D-201

MEMORANDUM

TO: Ronald Reagan
FROM: Richard B. Wirthlin
DATE: October 24, 1980
RE: Summary of the Debate Strategy*

1. Be yourself. Don't hesitate, however, to attack Carter strongly on his record or to diffuse with disarming humor his personal charges when they become overblown.
2. Focus the thrust of each answer on Carter's incompetence and weak record.
3. In the presentation of your public policies show how they will impact people.
4. Cite the specific steps in your strategies for peace and economic growth.
5. Millions of voters are frustrated and disillusioned; they are looking for a competent, compassionate leader capable of giving them hope about the prospects for the future.
6. The key to the debate is to motivate Republicans and ticket-splitters to turnout on election day.
7. Our advantage lies in the fact that you are the best electronic media candidate in history.
8. Regardless of Carter's challenges, it is critical that you demonstrate constraint, firmness, moderation and compassion.
9. Use selected examples of Carter's mismanagement of government, his misstatements and flip-flops.

*Attached is a longer memo for your perusal.

Reagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

MEMORANDUM

TO: Reagan/Bush Campaign
 FROM: Richard B. Wirthlin, Richard S. Beal & Myles Martel
 DATE: October 21, 1980
 RE: Reagan-Carter Debate Strategy

Campaign and Debate Axiom

If the Governor succeeds Tuesday in making Jimmy Carter's record the major issue of the debate and the campaign, we will succeed in the debate and win the general election.

If, however, Carter makes Ronald Reagan the issue of the debate and the campaign, we will lose both.

The above axiom holds because the major debate task turns on enhancing Ronald Reagan's perceived trustworthiness.

- Simply, if voters believe Ronald Reagan is more worthy of their trust after the debate than they did before, his vote support will expand and strengthen.
- This can be accomplished if the debate focuses on Carter's incompetence and weak record in office, and Reagan's compassion. Neither position can be reinforced when the Governor defends past positions.

Target Audience and the Voter Turnout Objective

The target audience consists of a key segment of the American vote--Republicans and ticket-splitters. It is these voters, not the panel and certainly not Carter the Governor is addressing.

- The Governor has already built a coalition large enough to win the presidential election, and hence, we want to use this debate to re-inforce our base and motivate them to turn out on election day.

- Our empirical studies show that if we increase the turnout of our voters by 2% over Carter's, it increases our electoral margin by 30 electoral votes.

The campaign strategy has been to deal initially to our Republican and conservative base, then to broaden our appeal, and finally to return to the base during these last two weeks of the campaign.

- The surveys show that we need, at this juncture, to increase our appeal among Republicans and ideologically moderate ticket-splitters who need to be reinforced through the Governor's debate performance.
- In answering the questions during the debate, the Governor must remember that ticket-splitters are solution oriented, somewhat skeptical and more interested in the issues and public policy than the image traits of the candidates.

These voters will respond to references to the "Nine Steps" in the Governor's peace strategy with the three critical elements of the "Strategy for Economic Growth." It is extremely important to avoid references to "Republicans and Democrats" or "I am a conservative" because ticket-splitters are non-partisans who are put-off by these words.

The Anderson debate helped, generally, to broaden our political base. Today the Reagan vote is larger, more committed and includes more segments of the voting population than does Carter's. Carter's base remains very fluid and uncertain.

The debate should help to solidify further the Reagan base and motivate them to turn out on election day. Only 2% of the electorate are self-identified Republicans, hence without the support of these ticket-splitters the Governor could not be elected.

Major Advantages

The principal advantages the Governor maintains going into this debate are:

- He has already debated six times before in this campaign and is more accustomed to such events.
- He is the best electronic media candidate in history.
- He will appear robust and vigorous by comparison to Carter who will likely appear bleached out and tense.

Principal Strategic Objectives

Televised political debates focus on image attributes more than issue positions. The image attributes we need to reinforce are:

- Competence
- Compassion
- Reasonableness, moderation, and thoughtfulness
- Strength

Essentially, the debate objective is:

Present Ronald Reagan as a reasonable and compassionate man with a vision of America and the competence to take us from simply providing the hope that vision conveys to its actualization.

How is this objective achieved?

Carter's attack strategy will undoubtedly try to represent Reagan's policies as "naive, unrealistic, anachronistic, and Alice-in-Wonderlandish." In response to this attack, the Governor has an excellent opportunity to show constraint, thoughtfulness and strength. And, when the attack becomes overblown, he should use disarming humor which will build both rapport and trust with the electorate.

It is essential for the Governor to use his answers to show that he is aware of different sides of the issues, that they are complex and that only after thoughtful consideration has he settled on a particular policy-orientation. In response to the Carter attacks that "he has flip-flopped," the Governor can use such attacks to demonstrate reasonableness and the lack of policy rigidity.

<u>✓ Carter's Attack Strategy</u>	<u>Reagan's Response Strategy</u>
Exploit Reagan's flip-flops.	Use changes to show reasonableness; defend public policy changes because circumstances have changed.
Make extensive use of Reagan quotes, e.g. during Democratic Convention.	Counter with Carter and Kennedy quotes; avoid unnecessarily strident reactions; bring the discussion back to the Carter record.
Attack the Reagan California record and how Reagan has "distorted it."	Defend with confidence and indignation moving as quickly as possible back to the Carter record as the real issue; avoid unnecessary stridency; counter with "when Governor Carter approached this problem in his state, the record shows..." but the real issue of this is the Carter record which shows he still hasn't been able to solve the

Carter's Attack Strategy

Attack Reagan's ideas as "quick fixes" that are unrealistic and even unworkable.

Suggest Reagan would be a dangerous man in the White House.

Reagan's Response Strategy

problems and maintain presidential tone and demeanor; act humored by Carter California record attacks--he doesn't understand the problems of California anymore than of the nation.

Given the Carter record, the Carter Administration is incapable of evaluating what would work or not work; argue most Carter policies are in place for such a short time before Mr. Carter changes his mind that their only impact is a quick fix.

Respond with righteous indignation; no one wants peace more than I, after all, what reasonable person would not; the difference between Mr. Carter and I is my commitment to deter conflict by being economically and militarily strong, and pursuing a consistent foreign policy; uncertainty in our foreign policy is more apt to cause an international crisis that would result in war, than to have a strong economy and military.

Several general points should be followed in the Governor's response strategy during the debate.

- It is not necessary to answer or respond to each of Carter's charges.
- It is especially important that the Governor be prepared for Carter's distortions of the California record. A good response to much of what Carter will say in this regard is something the Governor has already said: "You know, it's one thing when the Carter Administration jimmies its own economic figures to make its record look good, but when Mr. Carter starts jimmying my figures, that's going too far."
- The bottom line on the California record is that Californians were better off after the Governor's two terms of office, than this country is after four years of Jimmy Carter.

- The Governor's responses must appear confident and strong, not strident.

Reagan Attack Strategy

The Governor should use his answers to remind the public of:

- Carter, instead of leading the people to greater peace and prosperity, was content to declare there was a malaise in the country and that it would not matter who was President the economy would be just as bad.
- Carter has failed to provide a steady hand at the helm, especially in foreign policy. We have very little support from our allies and largely undeveloped and fragmented policies toward our adversaries.
- Carter has been indecisive, and unwilling to pursue vigorously domestic and international policies.
- More than any previous administration, the Carter Administration has politicized the cabinet and compromised the non-partisan functions of the Departments of State and Defense.

Tactics and Special Considerations

- Emphasize strength and decisiveness while avoiding stridency. Anderson's stridency hurt him in the previous debate.
- Use of a combination of "Mr. Carter" and "President Carter" with more frequent use of "Mr. Carter."
- Remember the debate is between Ronald Reagan the candidate for President, and Jimmy Carter the candidate for the same office. When making references to the 1976 campaign, use "Jimmy Carter."
- Compassion is most easily communicated by referring to situations during the course of campaign experiences.
- Make use of the voter appeal of George Bush by referencing consultations and policy discussions with him.
- Avoid unnecessary references to "the past" and buzz words that alienate blocs of voters, e.g. "detente."

Reagan: Competence and Compassion

The man who will be the President of the United States for the next four years is:

The man who correctly identifies the nation's most pressing problems, and has the drive and ability to resolve them compassionately.

- What the American people want most is leadership in the White House that will give them hope that the country is heading in a direction that will mean greater security and prosperity.
- They are tired of pessimism and the acquiescence to mediocrity. But they are equally wary of political promises by office seekers who are not truly committed to the welfare of the people.
- Americans are looking for specific policy options such as those enumerated in the two speeches--"Strategy for Peace" and "Strategy for Economic Growth," which will already be given by the time of the debate. The Governor should not hesitate to repeat the steps outlined in each.

The Governor must communicate to the American people through his answers that it is the people's interests he intends to serve. The people say the thing that is killing them is inflation, and a weak economy. What will restore this country to its proper bearings is a President committed to reducing inflation and improving the economy.

September 19, 1980

MEMORANDUM TO: Bob Garrick ✓
FROM: Bob Gray ✓

cc: Ed Meese ✓
Bill Casey

From an excellent source:

President Carter is now set to make his big steel presentation on September 26 before an awesome assemblage of steel industry and labor in a White House meeting. Drafts of documents are being given to him over the weekend. Eizenstat has the ball.

RR's schedule next week does not put him in any steel area with the thin exception of Texas where both U.S. Steel and Armco have plants.

For your consideration here are some facts I can verify wearing my previous, salaried hat:

Every one million tons of foreign steel imports equates to 5,000 steelworker jobs and 10,000 jobs in support industries.

In the first 7 months of 1980, there were 8 million tons of foreign steel imported into the U.S. This translates into a loss of 40,000 steelworker jobs and 80,000 support jobs.

Imports in 1980 for the first 7 months are down in volume by 1.1%. But since domestic steel production also is down severely, the actual percentage for foreign steel in U.S. markets increased from 14% to 19% in the 7 months of 1980 compared to the same period in 1979.

Carter removed the Trigger Price Mechanism in March in a snit over U.S. Steel's exercising its legal right to file dumping charges.

Steel industry employment now exceeds 73,000; production approximates 50% capacity. These are the lowest levels since the Great Depression.

WILLIAM A. WILSON

Dear Ronnie =

If this is helpful
to you, I can vouch
for the accuracy of the
data -

It is a series of
12 issues & answers
prepared by friends of
mine in the D of Energy
and the Argonne National
Laboratory -

It is easy reading -
Have a good trip -

Bill

STATUS

1. A review of the issues paper was conducted to verify numbers, locate references, etc. That review resulted in 28 references, comments, and supplementary analyses; enclosed. There are one or two references for which data are still being gathered.

2. The issue papers themselves were marked up, largely as a result of the review. The new version is attached. In several instances the numbers were changed. The statements made in the "Nuclear Licensing" issue could not be verified, and the issue was rewritten. Also, in a few instances, the text was modified to lessen the severity of the tone.

ISSUE 1

Energy Security: Are We Getting There?

QUESTION FORMS

Is there a solution to our energy problem?

Do we have an energy problem or are the oil companies just ripping us off?

SHORT ANSWER

There is no bigger threat to our security than energy. The Carter Administration has brought us to the point that OPEC is making our vital national security decisions. Yet year after year we make no progress. We are in a worse position now than before the Carter Administration took office. Mr. Carter's energy policies, with the no-growth, anti-technology philosophy so wide-spread in his administration, have allowed OPEC to bring us to our knees. Consistent policies to expand the safe use of coal and nuclear power will help now. Research on promising alternatives will help later. We can solve the problem.

BACKGROUND

We all recognize the threat to U.S. security that results from dependence on foreign oil for 21%⁽¹⁾ of our energy needs. Disruptions in that supply would have severe economic impact; disruptions in the supply to other countries would heighten world tension and threaten world peace.

These things have long been known. Despite that, our energy production at home has declined, and we are in a more dangerous position than ever before in our peace-time history. We haven't produced a commercial barrel of oil from coal. Under Mr. Carter, our nuclear option has floundered. And we still import huge quantities of OPEC oil. The Administration has established unrealistic energy goals and conflicting policies.

UNREALISTIC GOALS

To illustrate, in June 1979, Mr. Carter set a national goal of meeting 20%⁽²⁾ of U.S. energy needs by the year 2000 with solar and renewable resources. No plan has been devised to meet such a goal--no plan is possible because the goal cannot be met⁽³⁾. Solar energy will likely be a significant part of our energy future -- but the prospects are for a rather limited solar role by the year 2000.

CONFLICTING POLICIES

Increased coal use is vital to our energy security. But excessive regulations and environmental restrictions are in direct conflict with increased production goals. Mr. Carter set a goal of almost doubling coal production between 1976 and 1985. But coal production went up only 18% between 1976 and 1980⁽⁴⁾. The Administration has been working for 3-1/2 years on a new program to lease federal coal lands. Yet not a single new lease has occurred since Mr. Carter took office⁽⁵⁾. As many as 107 permits are required to open a new coal mine⁽⁶⁾. Even if mine production could be expanded significantly, there are serious barriers to expanded use.

With nuclear power, Carter Administration policies have brought the U.S. nuclear industry to the brink of collapse. While vowing to keep the option open, the administration has destroyed U.S. credibility as a nuclear exporter, allowed the NRC to impose a moratorium on licensing five new plants that should be operating right now⁽⁷⁾, reduced support for nuclear power research, and developed a severe case of foot-dragging on dealing with nuclear wastes. During Mr. Carter's term of office, 36 U.S. nuclear plants have been cancelled while only six were ordered⁽⁸⁾. Utilities cannot order new plants without increased Presidential support for nuclear power.

And -- most ironic of all given the policy conflicts that exist with coal and nuclear power -- Mr. Carter proposed and signed into law the 1978 Fuel Use Act which prohibits electric utilities from building any new oil or gas-fired power plants.

ALTERNATIVES

Energy security is a difficult goal, but we have no alternative. The Administration has attempted to manage our energy system -- and it has failed. We need clear, consistent policies and a national commitment. With coal, we must streamline the regulatory process to allow more coal to be mined and used. We must protect the environment, but environmental restrictions must be applied sensibly, in a way that allows increased energy production when needed. With nuclear power, clear Presidential support is vital or we will have no nuclear industry when it is needed.

- we must regain our credibility as a nuclear supplier
- we must license those plants now complete, and those under construction
- we should remove the obstacles that now prevent utilities from ordering additional plants.

ISSUE 1:

The Role of Nuclear Power in U.S. Energy Supply

QUESTION FORMS

Do we need nuclear power?

SHORT ANSWER

Yes. The world supplies of oil and natural gas are limited and becoming increasingly costly. Oil and natural gas cannot provide our long-term energy supply. To achieve energy security in the long-term we have to shift from oil and natural gas to coal and nuclear fuels, which are the only major large-scale intermediate-term options available for electricity generation. Coal will be needed in the future for conversion to synthetic fuels, so nuclear power must take over an ever-increasing share of electrical production. We must not forget either that we will have to depend on electricity more and more in the future, as oil and gas become more scarce.

Currently, nuclear power contributes 12% of our nation's electricity(9). Currently operating nuclear power plants plus those under construction or on order offer America the energy equivalent to 4-1/2 million barrels of oil per day -- about one-half of current oil imports(10).

BACKGROUND

In the very near future, conservation measures could reduce the energy demand growth. However, in the long-term, even for moderate growth, use of electric energy will grow faster as it progressively replaces oil and natural gas. Only coal and nuclear energy can supply such large amounts of electricity.

Nuclear energy is preferable to coal-generated electricity for the following reasons:

- In most regions, the average cost of nuclear electricity is less than that of coal-generated electricity(11).
- The cost of nuclear energy is less sensitive than that of coal to future increases in fuel prices and to changes in environmental standards.
- Nuclear fuel supplies are more readily stockpiled than coal, and nuclear electricity is thus less subject to interruption by strikes, bad weather, and transportation disruptions.
- The environmental and health effects of routine operation of nuclear reactors are substantially less than those of coal per unit of electric power produced(12).
- If the effect of carbon dioxide accumulation on climate becomes a major global environmental issue in the early years of the twenty-first century, it will be aggravated by utility commitments to the use of coal.
- Coal demand for other applications, such as conversion to synthetic fuels, is likely to increase in the future.
- Nuclear power could serve as both intermediate- and long-term energy source by a continued development of breeder reactors to expand the uranium resource utilization by a factor of 60(13).

Because it takes about 10 years to build a new plant, long lead times are required in the commitment to nuclear power, so a coherent long range nuclear policy is essential. The failure of the Carter Administration to establish such coherent nuclear policy resulted in the cancellation of a large number of nuclear plants, and long licensing delays. Any further delays in licensing and construction of nuclear power plants could cause widespread power shortages starting as early as 1981(14).

ISSUE**Breeder Reactor**QUESTION FORMS

Do you believe the U.S. should proceed with the breeder?

Do you believe the U.S. should proceed with the Clinch River Breeder Reactor (CRBR)?

SHORT ANSWER

The Breeder Reactor is clearly recognized throughout the world as by far the most technically and economically certain of the inexhaustible energy supplies and the only one that could be deployed in the near term.

The breeder fuel cycle extends the efficiency of uranium utilization by a factor approximately 60. Breeder reactors operating on our depleted uranium stockpile already above ground could supply all our domestic electrical requirements for several centuries (15). We should move full speed ahead with the breeder reactor. The Carter Administration has irrationally opposed the breeder. It is only the steadfast support of Congress that has allowed the breeder program to survive. Even with this support, Administration-instigated funding cuts have put the U.S. breeder program in great jeopardy. If the Administration succeeds in killing the breeder reactor, the U.S. will have no large inexhaustible energy supply option it can count on for the future.

OPTIONAL POSITION ON CRBR

(a) It is important that we build a demonstration reactor as fast as we can. We have already fallen far behind the French and the Russians (16). Yes, we should go full speed ahead on the Clinch River Breeder Reactor.

OR

(b) Whether the demonstration plant is CRBR or a new larger plant is less important than proceeding aggressively with a breeder program which will assure an inexhaustible supply of energy source for our electrical needs. But we must proceed with either CRBR or a large plant now. I would propose an expeditious study to determine which we should build.

BACKGROUND

For a quarter of a century the U.S. has been conducting research and development on the breeder reactor concept, an advanced reactor for electric power production. The incentive is to provide an essential energy option to meet electrical energy needs in the latter part of this century. The LMFBR produces both electricity and approximately 20% more fuel than it consumes. This is accomplished by converting readily available non-burnable uranium-238 (which comprises 99.3% of natural uranium and is otherwise useless) into a burnable material (plutonium-239) while the reactor is producing electric power. The Liquid Metal Fast Breeder Reactor (LMFBR) converts 60 to 70 times

more of the energy available in uranium than an LWR. Utilizing uranium this effectively means that far poorer ones can be utilized and the uranium supplies become essentially unlimited. A single ton of uranium in an LMFBR has an equivalent energy content of 2 million tons of coal(17).

Most industrial nations are committed to the breeder reactor. At present the USSR has four breeder reactors in operation and one planned. France has one in operation, one under construction, and more committed. West Germany has one in operation, one under construction, and plans for another. Japan and the United Kingdom both have units operating and each country plans at least one more unit. India is presently building an experimental unit.

Some useful facts are:

The U.S. stockpile of uranium-238 already mined, refined and stored at a government expense is worth \$14 trillion (in terms of equivalent coal prices) when used in breeder reactors.

This U-238 is equivalent in energy to all proven U.S. coal reserves, or five times the proven oil reserves of all the OPEC nations combined(19).

This U-238 could supply all of this country's projected electrical power generating needs for about 500 years(15).

This U-238, when used in the breeder, would produce less pollution of the atmosphere than gas, oil, or coal.

ISSUE -i.

Nuclear Safety

QUESTION FORMS

Do you believe that nuclear power is safe enough?

After Three Mile Island, how can you support nuclear power?

SHORT ANSWER

Nuclear power has an unparalleled safety record. There is no recorded instance in the U.S. of any member of the public being injured from commercial nuclear power. Even after Three Mile Island, it still is the safest energy technology we have. It is also the energy technology with the least adverse environmental impact. We know how to handle the wastes, but government bureaucracy has blocked implementing the solution. We need nuclear power, it is safe, and we should move forward full speed with it.

AND/OR

The Three Mile Island (TMI) incident notwithstanding, the nuclear power industry has had a remarkable safety record.

In the 25 year history of commercial nuclear power, with about 450 reactor years of commercial operating experience in the U.S., not one life has been lost from this technology.

The TMI accident was serious - but not highly dangerous. The Kemeny Commission reported that "in spite of serious damage to the plant, most of the radiation was contained, and the actual release will have a negligible effect on the physical health of individuals."

Industry has responded forcefully to the TMI accident, on a broad front, with the result that "nuclear power plants today are even safer," and licensing of new plants (incorporating the lessons learned) should go forward expeditiously.

BACKGROUND

A nuclear reactor cannot explode like an atomic bomb. The principal hazard is the large amount of radioactive fission products created in the fission process; an accident resulting in a substantial release of fission products to the environment could be a threat to public safety. Multiple barriers are provided to inhibit or prevent the release of fission products to the atmosphere. Also there are many safety systems designed to reliably shutdown the reactor in the event of abnormal operation.

Accidents have occurred, but all of them have been terminated without significant release of fission products. That, in fact, includes the TMI accident, which in spite of the equipment malfunctions and operator errors, demonstrated that the safety systems was effective. Much of the "fear"

in the wake of the TMI accident had to do with what might have been: were we close to a catastrophic accident? Both the Kemeny Commission and the Rogovin Reports concluded that a TMI core meltdown would not have been a disaster.

The safety record is the result of the way in which nuclear power plants are designed, licensed, regulated and operated. The whole process is being substantially upgraded as a result of the lessons learned at TMI.

ISSUE 5**Nuclear Licensing**QUESTION FORMS

What is your view on the need for nuclear licensing reform?

What is your view on the need for reorganizing the Nuclear Regulatory Commission?

SHORT ANSWER

The business of the NRC is to ensure the safety of nuclear power, not to regulate and fine the nuclear industry and the electric utilities to death. We need nuclear power, and we need it operated safely. But it takes 12 years of more to build and license a plant in the U.S., and that's just too long. In Japan the time is 5-6 years. The Carter Administration has been unable to provide this needed licensing reform.

The NRC is strangling on its own self-imposed moratorium on new licenses. Without action soon, by the end of next year we could have 17 new plants standing idle because NRC cannot get through their own red tape to issue a license(20).

BACKGROUND

The U.S. Nuclear Regulatory Commission (NRC) is responsible for the licensing and regulation of nuclear power plants. NRC was established by the energy Reorganization Act of 1974, with five NRC Commissioners. Efforts to reorganize NRC, already underway, were given tremendous impetus by the TMI accident and the recommendations of the Kemeny Commission. Restructure of the five-man Commission is the subject of considerable contentiousness between and within the Administration and Congress. Basically those opposed to nuclear power do not want a strong chairman of NRC, and want NRC to continue its jurisdiction over export of nuclear materials and technology. Those in favor of nuclear power believe a strong NRC chair is essential to licensing reform and to unraveling the moratorium dilemma, and favor placing jurisdiction of exports with the State Department.

The significant events of the current defacto moratorium are:

- 3-28-79 TMI-2 accident; defacto moratorium begins
- 5-03-79 NRC announces no new operating licenses will be granted until a decision is made on what matters from TMI should be considered.
- 5-24-79 Formal licensing moratorium for a minimum of three months imposed by NRC staff.
- 8-20-79 Harold Denton, NRC Director of Reactor Regulation; announces resumption of licensing.

- 8-24-79 Denton halts licensing after Kemeny Commission expresses outrage over resumption.
- 9-06-79 Commissioners partially lift licensing ban, but with all decisions to be made by the Commission.
- 10-29-79 Kemeny report released in draft form, urging delaying licensing until FEMA develops evacuation guidelines.
- 11-05-79 NRC Chairman, Joseph Hendrie, announces pause in licensing for five months--two years, while NRC develops priorities and reassesses licensing.
- 12-07-79 Mr. Carter, in a Presidential statement, urges NRC to license those plants then ready "as quickly as possible, and in any event no later than six months from today."

The situation now, eight months after Mr. Carter's statement, is that no plants have been licensed. The Edison Electric Institute has estimated that the cost to the consumer for each day the licenses are withheld averages \$700,000 for each plant(21).

Meanwhile, NRC has developed an "action plan" composed of almost 200 items, covering items like

- operating and siting procedures
- control room design
- emergency response plans
- NRC organization.

The NRC Commissioners have issued a policy statement which says that plants can be licensed after compliance with 45 of the action plan items has been demonstrated. The action plan applies to all new plants, and to all existing plants (the latter via a schedule of compliance approved by NRC).

The current status is that there are two categories of new plants awaiting licenses:

- I. Uncontested plants
 - Sequoyah 1
 - North Anna 2
 - Salem 2

These plants were far enough along when TMI-2 occurred that the intervenors apparently cannot get at them. They have been allowed to load fuel and go up to 5% of power to do testing. The next step is for the NRC to decide that they comply with the action plan. North Anna 2 will conduct an evacuation drill on August 16, which FEMA must approve, as the apparent last step. These three plants could all be at full power by the end of the year.

- II. Contested plants -- all the rest.

For these plants a petition has been introduced by an intervenor opposing the licensing of the plant. There must be a hearing before the Atomic Safety Licensing Board (ASLB), which will allow intervenors to sue over the degree of compliance with the action plan. This could take a year or more for each plant.

There is a big problem on the horizon. IIRC chose to endorse the adequacy of the action plan through a policy statement. This is guidance and does not have the force of law. But it is much faster than a rulemaking, which does have the force of law.

A suit is expected. The Union of Concerned Scientists charge that the policy statement approach is not only illegal but unfair to intervenors.

Grounds for a suit:

- The action plan contains interpretive rules that further interpret what was a more general requirement.
- The Administrative Procedures Act states that if such a rule affects public need and public convenience, it requires the force of law, i.e., a rulemaking.

If IIRC wins:

- No other suits on the adequacy of the action plan will be forthcoming.
- Licensing will continue except that each contested plant will have to be approved case-by-case.

If NRC loses:

- Need notice of proposed rulemaking (probably 45-90 days).
- Followed by hearings.
- Followed by arguments as to the adequacy of each point in the action plan.
- It could go on forever.

ISSUE 6Nuclear Waste DisposalQUESTION FORMS

Should nuclear power be allowed when there is no solution to the waste problem?

What should be done about nuclear wastes?

SHORT ANSWER

Nuclear wastes can be disposed of safely and permanently. Our best technical people tell us this. The problem is political.

The nuclear waste issue is being used by opponents of safe nuclear power to deprive our nation of this much needed energy source. By using the legal process to stop the construction of facilities for disposing of used fuel, this used fuel is made to pile up at the power plant. When the storage there is full, the plants will have to shut down. This cannot be allowed to happen. It would cause great hardship for our citizens.

We must move ahead and build the facilities to dispose of nuclear wastes safely and efficiently, thus allaying public concern. The Carter Administration has failed to do so and in fact has tried to cancel such a facility that was actually authorized by Congress. It is irresponsible actions like these that have brought us to the state of energy helplessness we are now in.

BACKGROUND

The nuclear waste issue is the most convenient vehicle for opponents of nuclear power to halt its use in this country. Spent fuel is building up at nuclear plants, and if no means to relieve this pressure are allowed then the plants must shut down.

Scientific opinion heavily supports the fact that nuclear waste can be safely stored for its hazardous period. Yet no repository exists where wastes can be terminally disposed. Any plan to construct a repository seems certain to be opposed by a vocal constituency.

Eight states* have either administrative or legislative moratoria on nuclear power plants in their states until the federal government demonstrates that wastes can be handled. Thus the future of nuclear power is tied increasingly to dealing head-on with the waste issue.

*They are California, Montana, Oregon, Connecticut, Maine, New York, Iowa, and Wisconsin.

The Carter Administration has taken a very cautious attitude--it is spending hundreds of millions of dollars annually (\$213 million in FY 1981) on site characterization, that may lead to a siting decision about 1985.(22) Mr. Carter has recently tried to cancel the Waste Isolation Pilot Plant (WIPP) authorized by Congress for construction in New Mexico as a non-licensed demonstration repository for defense wastes. Those in favor of nuclear power question the sincerity of the Carter commitment to deal with the problem. Demonstrating to the American public that nuclear waste can be disposed safely would cement public confidence in nuclear power--and it would rob Carter Administration environmentalists of their best nuclear issue.

Based on the most up-to-date projections of nuclear power plant construction, the volume of commercial high level reprocessed waste accumulated by the year 2000 would amount to 5,500 cubic yards(23). This could be put in a box 53 ft on a side. These wastes would be stored in a deep geological repository occupying less than 2000 acres of surface.

With efficient waste processing techniques the hazards of human contact will be extremely low after hundreds of years of isolation; not hundreds of thousands of years as some critics claim(24). Deep geologic storage can be effectively engineered, now, for these storage requirements. The COMAES study of the National Academy of Science states that the technology is adequate now, that it is not necessary to look upon waste disposal as a problem to which the perfect solution must be found before any action can be taken..*

Mr. Carter's Interagency Review Group (IRG) recommended further study (a non-decision) and consultation and concurrence with the states. Although consultation and concurrence have not been further defined, it implies state veto power. If veto power is given (and articulated by the press), many governors will find it difficult politically to not veto waste sites.

This results in a difficult policy issue for one who advocates nuclear power and at the same time feels strongly about state's rights. Why can't the Office of the President be used to make a waste repository attractive to a state?

The Reagan Administration must act in the first few months on providing additional spent fuel storage. This will be an important signal to the industry that the nuclear option has Presidential support. For the long-term problem, WIPP must move ahead quickly--it could be completed in 3-5 years. In this way the Reagan Administration can defuse the issue of nuclear energy and maintain a nuclear option for the Nation.

ISSUE 7Waste Disposal AlternativesQUESTION FORMS

How do you propose to dispose of radioactive nuclear wastes?

SHORT ANSWER

Many methods are available. They involve disposal both above and below ground, in the sea and in outer space. One well-developed technique ready for demonstration involves casting wastes in a glass-like ceramic, encasing the ceramic in thick stainless steel cylinders and placing these in deep underground repositories, in salt formations that have remained unchanged for millions of years.

BACKGROUND:

The disposal of nuclear wastes is presently viewed by a major segment of the scientific community as properly being handled in deep geologic repositories.

To prepare the wastes for disposal they are highly oxidized and dried to a stable powder. The powder is mixed with a binder material and cast into a highly stable ceramic form. The castings are loaded into thick stainless steel cylinders. These are stored in mine shafts hundreds to thousands of feet underground, in formations that have not changed for millions of years, and are expected to remain this way for millions of years in the future. Techniques for encapsulation for under-sea and above ground storage are essentially the same. Space disposal techniques involve serious weight constraints, are very expensive, and have not received significant support.

ISSUE 8The Waste Isolation Pilot Plant (WIPP)QUESTION FORMS

Why is WIPP important to nuclear power?

SHORT ANSWER

We must prove to the American people that we can safely and permanently dispose of nuclear wastes. WIPP will provide that proof. Although it will store wastes only from our weapons programs, it will lead the way to safe disposal of all nuclear wastes.

BACKGROUND

- WIPP was intended as a research project to demonstrate the disposal of nuclear waste in deep geologic formations.
- The site near Carlsbad, New Mexico is characterized by a deep salt bed formation. Considerable study has gone into verification of geologic stability.
- WIPP was to have experimental capability for studies on the suitability of salt deposits for terminal storage of all types of nuclear wastes. In this respect it would supply valuable information for the eventual storage of separated commercial wastes and would yield background engineering data to assist in the licensing process for future commercial repositories.
- Construction was authorized by the House and Senate Armed Services Committees in 1979 as a non-licensed defense project.
- In early 1980 President Carter cancelled the project, establishing another executive-legislative fight over executive cancellation of a legislatively-approved project.
- If Mr. Carter had not announced cancellation, WIPP would be providing valuable data by 1984. By his own announcement, Mr. Carter would defer collection of operating data to the mid-to-late 1990's.

Spent FuelQUESTION FORMS

What should the nation do with spent fuel?

SHORT ANSWER

Short-term storage is acceptable, but reprocessing is needed. Spent fuel must never be thrown away; it is too valuable. Disposal of spent fuel is both costly, and more dangerous than disposal of thoroughly reprocessed wastes.

BACKGROUND

Permanent disposal of spent fuel elements in conjunction with processed high level wastes should be discouraged. Spent fuel contains valuable uranium and plutonium that if returned to reactors in reprocessed fuel will provide significant additional energy. It will also provide the fuel necessary to start the first several breeder reactors.

Because of large bulk, spent fuel drastically increases storage volume and cost. It also contains up to 100 times as much long-lived alpha active material as does thoroughly reprocessed wastes(25), extending the safe storage time requirements from hundreds of years to hundreds of thousands of years.

ISSUELow Level WastesQUESTION FORMS

Why are we having so many problems with commercial low-level waste sites?

SHORT ANSWER

We are not having many problems. There are 17 active low-level disposal sites in the United States.⁽²⁸⁾ Fourteen of these are DOE sites and three are commercial sites. Governors of three states have shown concern over adherence to government standards at three sites in their states. These concerns, although possibly valid, have caused enactment of a rash of new state and federal regulations. These new industries need encouragement and guidance, not frustrating over-regulation.

BACKGROUND

Low level radioactive waste disposal has historically been at either government operated facilities or by commercial, federally licensed operators using burial grounds in several states.

Low level waste is generated in significant volume not only by the commercial nuclear power industry, but by medical treatment facilities, research organizations, and as a result of activity by contractors to the Departments of Defense and Energy and the Nuclear Regulatory Commission.

Low level waste became a political issue recently when it was contended by governors of three states that packaging and transportation of wastes to disposal sites in their states was not being done in compliance with federal regulations. Although some procedures were changed the principal result was an ad hoc mixture of new state and federal regulations compounding the fears, especially of medical facilities, that lack of adequate waste sites may force them to halt nuclear-related activities.

ISSUENon-ProliferationQUESTION FORMS

Shouldn't nuclear power be stopped because it leads to proliferation of nuclear weapons?

Do you support the effort being made by our nation to reduce the threat of the proliferation of nuclear weapons?

SHORT ANSWER

Nuclear power has very little to do with proliferation. Of course, proliferation is a concern to all of us. But the actions of the Administration have hurt, not helped, efforts to assure that nuclear power is not used for nuclear weapons. Their actions have increased the threat of proliferation by poisoning the international climate for peaceful nuclear cooperation, while at the same time denying our own nation the energy benefits that safe nuclear power can deliver. The Carter policy was discredited by the very International Study that he initiated. This study was called the International Nuclear Fuel Cycle Evaluation (INFCE) and its results have just been published. The report repudiates the Carter policy and support policies similar to those of all our presidents before Mr. Carter.

Worse, in the name of this policy we have crippled the capability of this country to use nuclear power to achieve energy security in the long-term. For that, we need reprocessing and the breeder. And these Mr. Carter either canceled or indefinitely deferred. Our nation will pay heavily for this shortsightedness. I believe that we must enter into international decisions to strengthen the institutions that safeguard against nuclear weapons proliferation. So while I will always support proper efforts to limit the proliferation of nuclear weapons, I do not support the myopic policies of this Administration.

BACKGROUND

Since the beginnings of the nuclear age, people working in the field and policymakers both have been concerned with the proliferation of nuclear weapons. An elaborate international system of safeguards based on the International Atomic Energy Authority has been worked out over the years to assure that the benefits of peaceful nuclear power could be reaped without substantially affecting the likelihood of weapons proliferation. The system has worked well over the years. It was begun by President Eisenhower's Atoms for Peace Proposals -- one of our country's most generous and far-sighted policies. The most important single treaty in this fabric of international agreements is the Non-Proliferation Treaty (NPT). The NPT is based on principles that were seen to be necessary from the earliest days of nuclear programs. They involve both the carrot and the stick. Signatory nations promised to forego the development of nuclear weapons in return for whole hearted assistance in developing peaceful nuclear power. The Treaty has never been violated, to our knowledge.

But in 1977, the whole nuclear policy of this nation was suddenly, dramatically reversed by the Carter Administration. We threw away the carrot and reached for a bigger stick.

The policy of the Administration to defer indefinitely reprocessing of spent nuclear fuel and extend the horizon for the introduction of breeder reactors has now had over three years of testing since its announcement on April 7, 1977. Its purpose was stated thus: In order to urge others to refrain from dangerous technologies that could increase the danger of nuclear weapons proliferation, the U.S. will set an example by deferring reprocessing.

That policy was devised in secret, and edicted by the President with no Congressional debate, no public hearings, no environmental impact statement and no input from industry. Advice came only from a narrow set of people.

Since that announcement:

- The two-year INFC study called for by the U.S. at the time of the announcement of the policy has been completed. Sixty-five out of sixty-six nations agreed that reprocessing and the breeder should proceed. The U.S. stands alone because of our insistence on holding on to the tatters of a discredited policy.
- The U.S. has sacrificed a decade on reprocessing.
- Spent fuel storage capacity shortages could force shutdowns of a few LWR's by 1984 unless capacity is built or bought by government(27).
- The entire U.S. waste management effort has lost two decades and its credibility, if the Carter policies are unchanged.
- The earliest LWRBR introduction date has slipped from 1988 to 2006. The earliest any uranium savings can accrue is about 2020, but only if the policy is reversed by 1982.
- Only six LWR's have been ordered, and two of these were later cancelled. More than 20 LWR's have been deferred beyond 1990 or cancelled. No new orders are expected. While INI hurt badly, it added to the root cause; this policy and the last resort, rhetoric.
- Several nations that had counted on U.S. reprocessing are planning their own reprocessing and/or enrichment.
- The U.S. has effectively removed itself from the International nuclear market for enrichment, reactors and plants. With that action its leverage on safeguards policies has been dissipated.
- The danger of other nations secretly building nuclear weapons has increased. The danger of nations using nuclear weapons has increased because fear of energy shortages and overdependence on oil imports has increased.

ISSUE

Objectives of Anti-Nuclear Groups -- Political and Social Issues..

QUESTION FORMS

How do you respond to the anti-nuclear concerns of many Americans?.

Why have opponents of nuclear power been so successful in stirring up opposition?

SHORT ANSWERS

Many people who have genuine concerns about nuclear power have been used by a small highly vocal minority who seek mainly to further their political goals. This vocal minority (e.g., Ralph Nader, Tom Hayden) is generally motivated by social objectives that are unrelated to any actual risks of nuclear power. They argue for a return to a „simpler life..

They reflect a doubt that growth, once the watch-word of the can-do American philosophy, is good.

They ignore the reality that a slow-growth or no-growth philosophy could kill the promise of upward mobility.

Since the beginning of organized society, the availability of energy has allowed mankind to improve the quality of life. Energy and economic growth are inevitably coupled. We need to utilize all the energy sources available to us -- conservation, renewable resources, coal, and nuclear -- to sustain and enhance America's growth.

BACKGROUND

There are those who want to slow down the economy. In the extreme, they are a small but highly vocal group -- advocates of the „soft-energy path.. who want a reduction of our per-capita consumption by half. They also want the end of central power generating plants (even including solar stations if they are very large) in favor of small neighborhood power stations under local control. They want a shift from all fossil and nuclear fuels to solar energy.

There are others who in effect are accomplishing the same result under the umbrellas of environmental advocacy and the public interest.

A great many former public-interest lawyers, consumerists, and environmental advocates have been and are serving in policy making positions in the Carter Administration⁽²⁸⁾. As a result, the Administration's energy plans are a disaster of taxes, regulations, bad consumer protection, and incorrect assumptions; in short not an energy policy at all.

The Carter Administration has in effect adopted a policy of limited growth by:

- (1) overstating the virtue of energy conservation;
- (2) advocating the expanded use of coal, while implementing environmental controls that cripple its production and use;
- (3) relegating the use of nuclear energy to a last resort; and
- (4) blocking the development of breeder reactors, as well as reprocessing, in the U.S. through misconceptions on how best to enhance non-proliferation.

References, Comments, Supporting Data

1. Between 1977 and 1979, oil accounted for 47-49% of all energy used in the U.S. (U.S. Energy Data Book, General Electric Co., p. 10 (1980)). Also DOE Energy Information Administration, Annual Report to Congress, 1978, Vol. 2).

Of the oil consumed, 45-57 % was imported (U.S. Energy Data Book, p. 45, which references U.S. Bureau of Mines and the DOE Energy Information Administration).

Thus 21-23% of U.S. energy supply, for the last three years, has come from foreign sources of oil.

2. Mr. Carter said in a Presidential Energy (Solar) Message to Congress on June 20, 1979: (Published in Energy Management, Commerce Clearing House, paragraph 773).

„We should commit ourselves to a national goal of meeting one-fifth - 20% - of our energy needs with solar and renewable resources by the end of this century..

3. GAO report which says no plan is in place to meet the Carter 20% solar goal (still looking)

and...in an interview with John Deutch as he departed as DOE undersecretary, Energy Daily reports (April 14, 1980):

„In solar, I believe the 20 percent target (in 2000) is exceedingly ambitious. For prudent planning purposes I can't get myself to believe much above 10 percent, including biomass and wind....

„In almost every category I have problems seeing where the primary energy supply is going to come from. And the only way I can get out of the puzzle is to drop my economic growth rate estimates, which is a terrible way of 'solving' the energy problem..

and...Energy Daily also reports (November 28, 1979)

„President Carter's announced goal of relying on solar-related technologies to meet 20 percent of the nation's primary energy demand by the turn of the century could become a mighty expensive proposition, according to a recent analysis by Mitre Corp. 'Such a program, including the hydroelectric component, would cost in the neighborhood of \$1 trillion -- roughly one-third of the total investment capital expected to be available to U.S. industry between 1980 and 2000.' Mitre said, 'Since the U.S. ordinarily devotes one-fourth to one-third of its industrial investment capital to new energy extraction, processing and utility construction, essentially all available capital would have to be spent on solar construction at the expense of oil, gas, coal, nuclear and non-energy investment in order to meet this goal. The result is likely to be a significant change in lifestyle.'

4. In 1977, Mr. Carter's National Energy Plan (Executive Office of the President, Energy Policy and Planning, April 1977) adopted several goals for 1985, one of which was to

„increase coal production by two-thirds, to more than one billion tons per year..

In fact, though, the increase claimed for coal supply later in the National Energy Plan is higher. Rather than a two-thirds increase, Fig. IX-2 of the NEP states that with the Carter Plan, U.S. coal supply would increase by 84% by 1985.

An analysis by the Congressional Budget Office confirms the higher number (President Carter's Energy Proposals: A Perspective, Congressional Budget Office, U.S. Congress, June 1977). Table 6 of that report shows the Administration claiming an 81% increase in U.S. coal production between 1976 and 1985.

Both of these reports are reproduced in The Energy Source Book, Aspen Systems Corp., Germantown, Maryland (1977).

Production has not kept pace with the goal. Listed below are coal and lignite production quantities in the U.S., from the U.S. Bureau of Mines:

	<u>Millions of tons produced</u>
1976	678
1977	688
1978	665
1979	770
1980	785 - 800*

*Estimated by the National Coal Association

The annual increase between 1976 and 1980 thus averaged 4%, while an average of 7% is necessary to meet the 84% increase claimed in the NEP.

5. From Energy: The Next Twenty Years: Report by A Study Group (Ballinger Publishing Co., Cambridge, Mass., 1979), pp. 291:

„In May 1971, the Department of the Interior imposed a moratorium on further federal coal leasing while it considered reforms in the management of federally owned coal lands. In September 1977, a U.S. District Court ruled that the Department of the Interior had not complied with requirements of the National Environmental Policy Act in its 1975 leasing program and ordered the department to prepare a new environmental impact statement (EIS). In the meantime only short-term leases were issued and only to aid ongoing operations or to permit production where land had been developed and was fully ready for operation.

„The Department of the Interior was scheduled to issue a new impact statement in May 1979, with the first lease sale now scheduled for 1981..

See also W.R. Hibbard, „Policies and Constraints for Major Expansion of U.S. Coal Production and Utilization., Annual Review of Energy, 4, pp. 147-74 (1979).

6. W.R. Hibbard, Jr., *Ibid.*

The opening of a coal mine requires a series of fees, to, and bonds and permits from, agencies of both the state and federal governments. It has been estimated that as many as 107 permits are required in some states. These include a sequence of required approvals and applications which may delay final approval up to 2-3 years.

7. The plants now complete or essentially complete, and held up by NRC inactivity, are:

North Anna 2
Salem 2
Sequoyah 1
Diablo Canyon 1
Diablo Canyon 2

(Source is the American Nuclear Society World List of Nuclear Power Plants, Nuclear News, 23, pp. 67-86 (1980)).

8. The Atomic Industrial Forum maintains a Historical Profile of U.S. Nuclear Development. Extracted from that document is a tabulation of nuclear plant cancellations and orders since Mr. Carter took office.

Cancellations Announced

(Orders (O), Limited Work Authorizations (LWA), and Construction Permits (C))

1980

Davis-Besse 2 (LWA)
Davis-Besse 3 (LWA)
Erie (O)
Erie (O)
Greenwood 2 (O)
Greenwood 3 (O)
Haven (O)
Sterling (C)

Toledo Edison Co.
Toledo Edison Co.
Ohio Edison Co.
Ohio Edison Co.
Detroit Edison Co.
Detroit Edison Co.
Wisconsin Electric Power Co.
Rochester Gas and Electric Corp.

Total: 8 reactors = 8,924 MWe

1979

Greene County (O)
NEP-1 (O)
NEP-2 (O)
Palo Verde 4 (U)
Palo Verde 5 (O)
Tyrone 1 (C)

Power Authority of the State of New York
New England Power Co.
New England Power Co.
Arizona Public Service Co.
Arizona Public Service Co.
Northern States Power Co.

Total: 6 reactors = 7,140 MWe

1978

Atlantic 1 (O)
 Atlantic 2 (O)
 Blue Hills 1 (O)
 Blue Hills 2 (O)
 Haven 2 (O)
 Isote (O)
 S.R. 1 (U)
 S.R. 2 (O)
 Sundesert 1 (O)
 Sundesert 2 (O)
 Unit 1 (U)
 Unit 2 (O)
 Wm. H. Zimmer 2 (O)

Public Service Electric and Gas Co.
 Public Service Electric and Gas Co.
 Gulf States Utilities Co.
 Gulf States Utilities Co.
 Wisconsin Electric Power Co.
 Puerto Rico Water Resources Authority
 Carolina Power and Light Co.
 Carolina Power and Light Co.
 San Diego Gas and Electric Co.
 San Diego Gas and Electric Co.
 Public Service Electric and Gas Co.
 Public Service Electric and Gas Co.
 Cincinnati Gas and Electric Co.

Total: 13 reactors = 13,333 MWe

1977

Allan Barton 1 (O)
 Allan Barton 2 (O)
 Douglas Point 1 (O)
 Ft. Calhoun 2 (O)

Alabama Power Co.
 Alabama Power Co.
 Potomac Electric Power Co.
 Omaha Public Power District

1977 (cont)

South Dade 1 (O)
 South Dade 2 (O)
 Surry 3 (C)
 Surry 4 (C)
 Unit 1 (O)

Florida Power and Light Co.
 Florida Power and Light Co.
 Virginia Electric and Power Co.
 Virginia Electric and Power Co.
 Central Main Power Co.

Total: 9 reactors = 9,862 MWe

Orders Placed

1980

None

1979

None

1978

Carroll County 1
 Carroll County 2

Commonwealth Edison Co.
 Commonwealth Edison Co.

Total: 2 reactors = 2,240 MWe

1977

Palo Verde 4
 Palo Verde 5
 New Haven 1
 New Haven 2

Arizona Public Service Co.
 Arizona Public Service Co.
 New York State Electric and Gas Corp.
 New York State Electric and Gas Corp.

Total: 4 reactors = 5,040 MWe

9. The United States Energy Data Book (General Electric Co., 1980, p. 16), which references the Edison Electric Institute Statistical Year Books, show the following data for the fraction of U.S. electricity generated by nuclear plants:

1977	11.8%
1978	12.5
1979	11.5

In 1978, nuclear plants represented 9.3% of the U.S. installed electrical capacity (U.S. Energy Data Book, p. 21). The difference comes from the fact that nuclear plants are used more than the average of all plants combined--they are base-loaded.

10. As of March, 1980, the Atomic Industrial Forum reports that

53,241 MWe	nuclear plants operating	(72 plants)
100,000 MWe	under construction	(91 plants)
25,000 MWe	on order	

It takes 37-43 1000 MWe nuclear plants on line to displace 1 million barrels of oil per day (MBPD). This assumes a 38% thermal efficiency, and a capacity factor range of 60-70%.

Thus the table above, translated to equivalent of oil that would be burned, becomes

operating plants	1.2 - 1.5	MBPD
under construction	2.3 - 2.7	
on order	0.6 - 0.7	
	<hr/> 4.1 - 4.9	MBPD

11. A large number of studies have been done on the economic comparison of nuclear versus coal-generated electricity. The consensus of these studies is that nuclear has some economic advantage, but generally the margin is not wide. Also, the margin is shrinking as nuclear plants are taxed by increasing NRC regulation.

The specific results depend on a variety of assumptions, including

- estimates of how long it will take to get the plant into operation
- estimates for future prices of coal and uranium; coal plant costs are especially sensitive to fuel cost assumptions
- where the plant will be sited--coal plant costs vary widely with location since coal transportation costs are significant.

Recent studies tend to show costs that are comparable; at least when uncertainties are taken into account. See, for example,

Market Oriented Program Planning Study (NOPPS), Summary Report, U.S. ERDA (1977), or

Technical Assessment Guide, Electric Power Research Institute Planning Staff, PS-1201-SR (1979).

Perhaps the best evidence that nuclear still has some advantage over coal is, to quote Bodansky (*Science*, 207, p. 724 (1980)):

„At present, electricity from Nuclear is less expensive than from coal generation... An Atomic Industrial Forum survey concludes that in 1978 the nationwide average busbar costs were 15 mills/kwh for nuclear-generated electricity... 23 mills/kwh for coal-generated electricity... and 40 mills/kwh for oil-generated electricity. In implied qualitative agreement, a group of coal companies advertised in the *Wall Street Journal* (25 May 1979)... 'Coal costs less than either oil or gas as a fuel for producing electricity. It may soon be cheaper than nuclear power..

12. The consensus view, by a number of studies, is that normal operation of a coal plant is more hazardous, and more damaging environmentally, than normal operation of a nuclear plant:

a. David Bodansky (Physics Dept. Univ. of Washington) reports in „Electricity Generation Choices for the Near Term,, *Science*, 207 pp. 721-728 (1980):

Table 5. Estimated annual fatalities resulting routinely from the generation of 1 GW-year of electricity, in coal-fired and nuclear plants. The estimates include the complete fuel cycle excluding reactor accident.*

Cause	Fatalities Per GWA-year
<u>Coal</u>	
Accidents, mining	0.8
Accidents, transportation	1 to 2
Total	2 to 3
Pollution, new plants with lime scrubbers	0.007 to 17
Pollution, old plants, 3 percent sulfur coal	3 to 170
Total coal:	2 to 170
<u>Nuclear power</u>	
Nonradiation accidents (mining)	0.4
Radiation, occupational	0.3
Radiation, public	0.2
Total radiation	0.5
Total nuclear:	0.9

*Data is from a National Academy of Sciences Report „Risks Associated with Nuclear Power: A Critical Review of the Literature, Summary and Synthesis Chapter..

b. Herbert Inhaber, „Risk with Energy From Conventional and Nonconventional Sources,, *Science*, 203, pp. 718-723 (1979):
The figure below is reproduced from Inhaber's results. It shows total person-days lost (both from occupational and public hazards) due to operating a 1 GW(e) plant over the lifetime of the system:

(Nuclear Power Issues and Choices: Report of the Nuclear Energy Policy Study Group, Ballinger Publishing Co., Cambridge, Mass., p. 16 (1977)).

„In the most pessimistic case, which we consider very unlikely, the average rate-of-loss could be as high as ten fatalities per year for a 1000 MWe

nuclear power plant. However, even in this extremely unlikely situation, the average fatalities would not exceed the pessimistic end of the range of estimated fatalities caused by coal. Thus, on an average rate-of-loss basis, nuclear power compares favorably with coal even when the possibility of accidents is included..

c. There are two environmental issues that are long-range: nuclear waste disposal and CO₂ buildup. Nuclear waste is treated separately in this issues document. CO₂ buildup is known to be occurring; the Ford-Mitre study referenced above estimates worldwide use of fossil fuels is already causing a 0.2% annual increase in atmospheric CO₂ concentration. What is simply not known right now is the rate of CO₂ retention in the atmosphere, nor are the potential climatic effects well understood.

13. The increase in uranium utilization that the breeder reactor offers can vary from a factor of 60 to over a factor of a hundred, depending on how the comparison is made. In LWRs operated on a once-thru fuel cycle, i.e., operated according to current Administration policy, less than 0.4% of the uranium atoms mined actually produce power in the reactor. The rest are laid aside when the uranium is enriched, or are discarded in the spent fuel from the reactor.

Theoretically, breeder reactors could use well over 90% of the uranium atoms mined. But the need to reprocess and refabricate the fuel periodically introduces small losses which add up to perhaps only 60-70% of the uranium being utilized.

Taking a pessimistic estimate of 60% utilization in the breeder, the increased utilization over the LWR operated once-thru is $60/0.4 = 150$.

Allowing recycle of LWR fuel further increases the LWR uranium utilization. The increased utilization factor for the breeder then can drop to below 100.

We use the factor of 60 for increased uranium utilization in the breeder, since it provides a pessimistic estimate of breeder potential.

14. The U.S. Department of Energy, Office of Utility Systems, has recently completed a report, still in preliminary form, "Electric Power and Supply Demand for the Contiguous U.S.: 1980-89", DOE/RG-0036 (1980).

Using relatively low projections of demand growth (2-3%), the report notes low (even negative) reserve margins in some regions. Those regions in which problems are most likely to occur during summer peak-load season in 1980 or 1981 are:

Northern California - Nevada
Virginia - Carolina
Gulf States TVA Service Area
Florida

The report notes unusual occurrences could cause problems in other regions. Finally:

..Failure to have in operation those nuclear units slated for completion by the end of 1985 could result in the use of 700 million additional barrels of oil..

It is conjectural, but it is possible that widespread brownouts would have occurred this summer had it not been for a recession that reduced demand for electricity.

15. The amount of uranium (depleted in ^{235}U) that has been stored as a result of operation of U.S. enrichment facilities is about 220,000 metric tons (information from Mr. Wayne Wange, U.S. Dept. of Energy office in Oak Ridge, TN; confirmed by L. Koch, "Plutonium is an Energy Resource," Energy Perspectives, The Heritage Foundation, p. 85 (1978)).

Assuming, rather pessimistically, that 60% of this uranium could be utilized in breeder reactors, (see comments #13) 129,000 GW(e) years of electrical energy could be produced (38% thermal efficiency). In 1979, the total U.S. electrical generation was 2350 billion kwh (U.S. Energy Data Book, General Electric Co., p. 15 (1980)) i.e., 270 GW(e)-yr. Thus, at 1979 levels of consumption, the uranium already mined would be sufficient for 480 years of U.S. electrical energy.

16. The table below lists fast breeder reactors operated, in operation, in construction, or firmly planned, for each of the nations with major breeder development programs.

World Fast Breeder Reactors

Nation	Reactor	Electrical Power Mw(e)	Status
France	Rapsodie	none	operational
	Phenix	250	
	Super-Phenix	1240	under construction
	Super-Phenix II	1600	planned
USSR	BR-10	none	operational
	BOR-60	12	-
	BN-350	150	-
	BN-600	600	-
	BN-1600	1600	planned
United Kingdom	DFR	14	shut down
	PFR	250	operational
	CFR	1250	planned
West Germany	KHK-2	none	operational
	SIR-300	312	under construction
	SIR-2	1300	planned
Japan	Joyo	none	operational
	Monju	296	under construction
India	FBTR	16	under construction
United States	EBR-I	0.2	shut down
	EBR-II	19	operational
	Fermi	61	shut down
	Sefor	none	shut down
	FFTF	none	starting up
	CRBR	350	?

17. The energy content of a single ton of uranium when used in a breeder reactor which utilizes 60% of the available uranium is 0.046 quads. Since the average energy content of U.S. coal is 22 quads per billion tons (information from The Energy Source Book, the Center for Compliance Information, p. 210 (1977)), a single ton of uranium-238 is equivalent in energy content to 2 million tons of coal.

18. The existing stockpile of uranium-238 is approximately 220,000 metric tons (see comment 15). This uranium, when used in a breeder reactor which utilizes 60% of the uranium, is equivalent in energy content to 460 billion tons of coal (at 22 quads per billion tons, information from The Energy Sourcebook, the Center for Compliance Information, p. 210 (1977)). At 1979 prices of \$30 per ton of coal (U.S. Energy Data Book, The General Electric Company, (1980)), this existing uranium stockpile is worth \$14 trillion.

19. The existing stockpile (i.e., that already mined) of uranium-238 can be compared to known coal and oil reserves. The proven U.S. coal reserves are approximately 440 billion tons (information from The Energy Source Book, the Center for Compliance Information, p. 210 (1977)). Hence, the stockpile of uranium-238 is approximately equivalent (see comment 18) in energy to all proven U.S. coal reserves.

The proven oil reserves of all the OPEC countries combined is approximately 390 billion barrels (information from The Energy Source Book, the Center for Compliance Information, p. 252 (1977)). Based on an energy content of 5.8 quads per billion barrels of oil (U.S. Energy Data Book, The General Electric Company (1980)), the existing stockpile of uranium-238 has an energy potential of approximately five times that of all the proven OPEC oil reserves.

20. In addition to the five plants complete or essentially complete (see comment No. 7), the American Nuclear Society World List of Nuclear Power Plants, Nuclear News, 23, pp. 67-86 (1980) contains the following information on plants nearly completed:

Plant	% Completion as of 3/80	Expected Completion
Comanche Peak I	79	7/81
Farley II	85	10/80
Grand Gulf I	95	4/81
LaSalle I	93	12/80
LaSalle II	73	12/81
McQuire I	96	12/80
San Onofre II	86	10/81
Sequoyah II	87	6/81
Shoreham	85	5/81
Watts Bar I	91	9/81
Zimmer I	94	7/81
WNP-2	80	9/81

21. To be confirmed.

22. Contained in Presidential Statement to Congress Establishing a National Radioactive Waste Management Program, Feb. 12, 1980.

In this message a decision on site selection is deferred until about 1985.; WIPP is cancelled; and completion is deferred till the mid-1990s. (all three statements are on p. 3 of the President's draft statement).

23. References

1. Nuclear Power Safety
Rust, J.H. and Weaver, L.E. (eds.)
Pergamon Press 1976
(Section on Management of Radioactive Waste by J.O. Blomeke, pp. 255-260).
2. Nuclear Power and the Environment
American Nuclear Society (1976)
p. 47.

Above data scaled to most recent DOE (1980) median forecast of 240 GWe by the year 2000. There is broad general agreement in all professional studies of waste volumes after fuel reprocessing.

24. Reference

Energy in Transition 1985 - 2010
CONAES
National Academy of Sciences
Washington, D.C. 1979
(Wastes of Reprocessing pp. 361-2)

Reprocessing wastes eliminates nearly all of the long-lived alpha active materials. This reduces the safe storage time requirements to a level that allows confident engineering design for encapsulation and storage criteria.

25. Reference

Nuclear Power Safety
Rust, J.H. and Weaver, L.E. (eds.)
Pergamon Press 1976
(Section on Management of Radioactive Wastes by J.O. Blomeke, pp. 264-266).

If spent fuel is disposed of directly, it must be safely isolated for a very long time. If the fuel is reprocessed, separating the remaining fuel (all long-lived alpha active materials) from fission products, the recovered fuel can be reused while the fission products are disposed of. The disposal of fission products can be done with a much higher level of confidence that disposal techniques are effective for the required isolation time.

26. Seventeen low-level disposal sites are presently active. There are 17 DOE low-level sites, 3 are presently inactive. There are also 6 commercial sites, 3 are presently inactive.

The sites and their present status is as follows:

DOE

Los Alamos Scientific Laboratory (Los Alamos, NM)	active
Brookhaven National Laboratory (Brookhaven, NY)	inactive
Pantex Plant (Amarillo, TX)	active
Sandia Laboratories (Albuquerque, NM)	active
Idaho National Engineering Laboratory (Idaho Falls, ID)	active
Nevada Test Site (Las Vegas, NV)	active
Feed Materials Production Center (Fernald, OH)	active
National Lead Company of Ohio (Niagara Falls, NY)	inactive
Oak Ridge Gaseous Diffusion Plant (Oak Ridge, TN)	active
Oak Ridge Y-12 Plant (Oak Ridge, TN)	active
Paducah Gaseous Diffusion Plant (Paducah, KY)	active
Portsmouth Gaseous Diffusion Plant (Piketon, OH)	active
Weldon Springs (St. Charles Co., MO)	inactive
Hanford Site (Richland, WA)	active
Savannah River Plant (Aiken, SC)	active
Lawrence Livermore Laboratory (Livermore, CA)	active

Commercial

Beatty, NV	active
Richland, WA	active
Barnwell, SC	active
Morehead, KY	inactive
Sheffield, IL	inactive
West Valley, NY	inactive

27. AFR: not available yet.

28. See H. Peter Metzger, "The Coercive Utopians: Their Hidden Agenda," paper presented at the National Meeting of the American College of Nuclear Medicine, April 28, 1978. Available from the Public Service Company of Colorado, Denver, 80202.

1709

Richard Allen

Scot M. Faulkner

Legislative Assistant

April 27, 1980

Dr. Richard Allen
901 16th Street, NW
Washington, D.C. 20006

Dear Dick:

Following our telephone conversation of two weeks ago I phoned Dr. Fontaine to discuss the ongoing provision of foreign policy material. It was decided that I would send material relating to Africa and Latin America directly to Dr. Fontaine, and all other foreign policy material to you.

The material that I can provide is: 1) selected material from the Congressional Record that is both timely and addresses specific topics in a usable way, 2) FBIS material, 3) primary source material. My first installment of these items is enclosed. For ease of your use I will enclose a cover memo digesting the material. Also enclosed is a roster of the Chesapeake Society from which most material will be drawn, and the last few weekly agendas of the Society.

I hope this format is agreeable to you. If there is anything else I should be including in the packets, or deleting, please let me know. If you would like a meeting with members of Chesapeake to discuss the flow of issue material that can be arranged.

Sincerely,

Scot M. Faulkner
Legislative Assistant

Enclosures

To: Richard Allen

From: Scot Faulkner

Re: First Issue Packet

Enclosures:

- * Roster of Chesapeake Society
- * Agendas of Society for April 18 & 27, 1980
- * Four Congressional Record inserts on Technology Transfer to USSR
Including flow chart on diversion of U.S. technology to Soviet military.
- * Photo-copy of photograph of Zil 135 military transport.
- * Record insert on Strategic minerals issue as it related to Cobalt in Idaho.
- * Record speech on the failure of foreign assistance programs.
Specifically relating to International Development Banks.
- * Record insert on Caribbean situation from October 12, 1979. (Has some dated material, but provides good initial overview).

1711



CONFIDENTIAL

Mr. Scot M. Faulkner
Legislative Assistant
To The Honorable John M. Ashbrook
1436 Longworth House Office Building
Washington, D. C. 20515

D-396

RICHARD V. ALLEN

808 SIXTEENTH STREET, N.W. • WASHINGTON, D.C. 20008

May 2, 1980

Mr. Scot M. Faulkner
Legislative Assistant
To The Honorable John M. Ashbrook
1436 Longworth House Office Building
Washington, D. C. 20515

Dear Scot:

Thanks very much for your letter of April 27th and for the very useful enclosures.

It is good that you are in direct touch with Roger Fontaine, as I know he will benefit greatly from the material that you send directly to him.

The list of the members of the Chesapeake Society is helpful, and we will keep it handy. Sometime in the next month or so, I should try to get together with the Chesapeake Society; I shall enjoy meeting the members.

With best regards,

Sincerely,

P. S. Your little summary on the top of all the Congressional Record sendings is very useful, as it helps us to organize the data.

1712

Bob Report from
White House note

THE WHITE HOUSE
WASHINGTON

October 16, 1980

MEMORANDUM FOR THE CABINET

FROM: ANNE WEXLER *AW*
AL McDONALD *AM*

SUBJECT: ECONOMIC INFORMATION

Because the Congress is not in session, there is no Inflation Report this week. Enclosed are Economic Talking Points and guidance on response to questions on the President's comments on the Federal Reserve's policies. These documents are not for public distribution, but they should be given to your key appointed officials. It is important that these materials be followed closely when talking about economic matters. Your assistance with this will be greatly appreciated.

Economic Talking points

President Carter has advanced a hopeful and positive approach to the economy. He has set forth a sensible and fair economic agenda for the '80s.

1. In an election year, he fought successfully to avoid the massive, inflationary Reagan-Kemp-Roth tax cut. For 1981, as part of his Economic Revitalization Program, he has proposed a tax cut we can afford--\$17 billion--that will not rekindle inflation. It focuses on spurring investment in basic industry and small business, and on anti-inflationary social security tax relief. Half of these funds will be used to revitalize business and industry. As budget and economic conditions permit, additional funds for tax relief and economic renewal can be provided in future years.
2. Over the past two years he has established a new tripartite working relationship between government, business and labor to cooperatively remove barriers to growth and productivity. Already this approach has been used to develop strong, coordinated policies for the special problems of the auto and steel industries--policies which embrace issues including trade, regulation and tax policy.
3. He has designed specific programs to train the unemployed, young people and those displaced by industrial change for new work in new jobs with a future.
4. He is fighting in the Congress for help for communities in trouble through \$1 billion in countercyclical revenue sharing, and for targeted unemployment compensation for those in need of it.
5. His budget contains a strong new infusion of resources to our basic research community, including the great universities and innovative small businesses, so that the creative roots of our economy will remain strong.
6. He has made tough decisions on energy. And his policies have helped reduce oil imports by more than 2 million barrels per day, and to dramatically increase our production of energy from coal, our search for oil, and our development of alternate fuels. He is strengthening our energy conservation efforts with more than \$1 billion--in resources added to the solar and conservation bank, weatherization of low income houses, public housing and public buildings, and related purposes.

7. He has fought for budget control and for wage/price restraint when it was not popular. Congress has for the first time in history committed through the "reconciliation" process to cut its spending by \$10 billion. And the inflation rate is coming down while the economy is beginning to grow again.
8. With deregulation of airlines, trucking, rail and banking, President Carter has been responsible for the most fundamental restructuring of government's relationship with business since the New Deal--to free up competitive forces, fight inflation and strengthen these basic industries.

The Carter approach is sound, pragmatic, moderate . . . and it will work.

Bob

.....

Expect the line of attack next week, Dan

Governor Reagan's second economic program since the Republican Convention, announced on September 9, stands in stark contrast.

1. Mr. Reagan's program has one and only one guiding idea--more than half a trillion dollars in Reagan-Kemp-Roth tax cuts over the next five years, and a trillion dollars in the next seven years. At the same time, he promises us a balanced budget, record defense spending, and he refuses to name a single domestic program he will cut. On the surface, this program is plainly illogical. Underneath, when you look at the numbers, it is worse: it is unsound, inflationary, and unfair.
 2. This new program calls for \$531 billion in tax cuts over the next 5 years. More than 86% would go for across-the-board personal income tax cuts. In 1983, a family making \$12,000 would get \$175. A family making \$200,000 would get \$15,000.
- Less than 14% of this massive tax cut would go to encourage American businesses, large and small, to invest in new plants and equipment we need to keep Americans at work. In fact, the main difference between Ronald Reagan's first and second economic programs was the cancellation of more than \$70 billion in investment incentives over 5 years.

3. And Governor Reagan's simplistic approach does not even mention our needs for public investment to train our youth and displaced workers, to help families and communities adapt to economic change, or to improve critical public facilities--our highways, rail and large networks and our parks.
4. Together with his massive Kemp-Roth tax cut, Governor Reagan proposes to increase defense spending at the annual rate of 15% over those years, at a cost of \$52 billion. And so to balance his budget, by his own accounting, Mr. Reagan calls for a minimum of \$195 billion and a goal of \$301 billion in domestic budget cuts over the next 5 years--reaching \$64-\$92 billion in 1985 alone.
5. Mr. Reagan says he'll balance the budget in 1983, and achieve a surplus in 1985. But Mr. Reagan uses budget assumptions you would have to be a member of his campaign staff to believe. Using more realistic estimates, CNA finds that every nickle of Mr. Reagan's budget cuts would not be enough to counter his massive tax giveaways and balance the budget by 1985. In fact, his program would guarantee multi-billion dollar deficits for the next 5 years and destroy any hope of a balanced budget.
6. Where will his \$200 to \$300 billion in domestic cuts come from? Mr. Reagan has said he will not cut Social Security, Medicare and other "entitlement" programs, which together with interest on the debt and other relatively fixed costs amount to 55% of the budget. He will not cut defense--another 25%. That means virtually all of the cuts must come from the remaining 20%--mostly aid to states and local government. Mr. Reagan won't say where he would cut. But he has given us some hints:

good → On August 5, 1980, he said "Our ultimate goal should be to transfer from the federal government back to the states and localities programs--such as welfare and education--which the federal government has usurped and has not managed well, along with the tax sources to pay for them."
(Text of Urban League Speech)

On February 1, 1980, he said "Urban aid programs, I think, are one of the biggest phonies that we have in the system and have had for a number of years."

On the radio in 1978-79, he said "Unemployment compensation is "little more than paid vacation for freeloaders."

And last January he said "It makes no sense to collect money on the federal level only to return it back to the state. The federal government should not be collecting the funds to help the poor."

But perhaps Mr. Reagan does not intend to cut these programs--perhaps he intends to cut revenue sharing (nearly \$7 billion), housing aid (\$3 billion), mass transit (\$5 billion), community and regional development, (\$10 billion), or help for veterans (\$10 billion)--or aid for our farmers.

7. We cannot know where Mr. Reagan wants to cut. But we do know that accomplishing his goals will require a massive shift of responsibilities to state and local governments. If state and local governments pick up all the Federal programs that would be cut to balance Mr. Reagan's budget, state and local property and sales and income taxes would rise by at least \$1,000 per household by 1985, and probably by much more. And that's a lot more than the average family will get back from the Reagan-Kemp-Roth tax cut.

Alternately, Mr. Reagan may fail to secure Congress' agreement to the spending cuts. If spending continues at a "current services" level there would be inflationary deficits ranging from \$100 to \$200 billion each year in 1983-85. And the price of these deficits would be double digit inflation, high interest rates and economic dislocation for the foreseeable future.

9. These are the stark choices offered by the Reagan program: either massive state and local tax increases; or sharp reductions in basic services; or escalating inflation. It seems hard to believe that a Republican candidate for President would put forward so irrational a program. That is precisely why George Bush called this program "voodoo economics", and "a blueprint for economic chaos", and why former President Ford has refused to endorse it.

Response to Questions about the President's
Comments on the Federal Reserve's Policies

The President was explicitly asked a very particular question: What did he think about the Federal Reserve's new operating techniques that were started about a year ago?

- c Under the new system, the Federal Reserve now concentrates its attention heavily on one objective: controlling the growth of the money supply within predetermined targets, letting interest rates go where they will (within a very broad range).

In answer to the question, the President stated that in his view controlling the growth of the money supply was a very important factor but not the only factor that should be taken into account, and that the policy of concentrating solely on the money supply was not well advised.

Obviously all of us have to be concerned about fighting inflation and about controlling the money supply, and also about the effects of rising interest rates in slowing the current economic recovery especially in housing and autos. What is obviously at stake here is the proper balance among these important objectives and this is precisely what the President had in mind.

The day after the President's comments Chairman Volcker himself stated his view: that financial markets had been overreacting to recent actions of the Federal Reserve; were moving ahead of events; and that this behavior was causing problems. Chairman Volcker also noted that the recent jump in the prime rate by some banks seemed to be moving ahead of the market.

In response to all of this, and to a large decrease in the money supply, interest rates fell on Monday and Tuesday.

Finally this discussion does drive home the importance of controlling inflation as the fundamental way to bring down interest rates and insure a healthy recovery:

- c It confirms the wisdom of President Carter's refusal to be stampeded into a quickie election-year tax cut.
- c It confirms his wisdom in proposing a moderate tax cut for next year, with most of its emphasis not on consumption-oriented tax reductions, but on incentives for investment.

1718

October 24, 1980

MEMORANDUM FOR THE CABINET

FROM: ANNE WEXLER *AW*
AL MCDONALD *AM*
SUBJECT: ECONOMIC INFORMATION

Enclosed for your information are three items:

1. Guidance on September CPI.
2. Update on Economic Indicators
~~(10/20/80)~~
3. Talking points: Housing Cost
Reduction Demonstration.

These documents are not for public distribution, but should be given to your key appointed officials. It is important that these materials be followed closely when talking about economic matters. Your assistance with this will be greatly appreciated.

Guidance on September CPI

CPI rose 1.0 percent -- an annual rate of 12.7 percent.

<u>Category</u>	<u>% Rise</u>
Food	1.5
Used Car Prices	5.6
College Tuition	5.1
Airline and Bus Fares	3.6
Apparel	1.3

Guidance:

1. One month's statistic is not a proper measure of the status of inflation. The annual rate is the monthly number multiplied by 12 -- very small-monthly fluctuations are thus blown into large ones.
2. Taking a somewhat longer look, the CPI rose at a 7 percent rate over the past three months, and at a 9.3 percent rate over the past six months, compared to the 13 percent rate of 1979 and the 18-19 percent early this year at the peak of the oil price rises.
3. Nevertheless, the September increase in the CPI reminds us that inflation is still our number one problem.
4. In that respect, it confirms the wisdom of the President's decision to avoid both an election-year tax cut and a large anti-recession spending program.
5. It is also a dramatic reminder that our economy is very sensitive to inflation and that the nation cannot afford to gamble its economic health on a massive inflationary stimulus, as Governor Reagan would have us do with his 30 percent Kemp-Roth tax cut and his other budgetary proposals.

Update on Economic Indicators

Background

- o The Administration forecast presented in mid-July calls for the recession to level off in the fourth quarter of 1980, with recovery in 1981. This pattern is broadly consistent with private forecasts and with CBO's forecast.
- o Early data suggested to some that the recession might be worse than our forecast. At the beginning of the recession, activity fell steeply:
 - from January to June the unemployment rate jumped from a stable 6 percent to 7-3/4 percent;
 - from January to June auto sales and housing starts plummeted;
 - real GNP in the second-quarter fell a record 9.6 percent (annual rate)
- o The beginning of the recession was steep but concentrated; 90 percent of this drop in GNP was in autos and housing.
- o In June the nature of the recession changed: the decline spread to other sectors -- but at a much slower pace.
- ~~o During the summer and early fall signs began to accumulate that the recession was ending.~~

Recent Numbers

The first official estimate of GNP in the 3rd quarter is for a growth of 1 percent (annual rate). This makes this the shortest recession in history.

The index of leading economic indicators increased in June, July and 1.9 percent in August.

Housing starts rose 9 percent in September and are 70 percent above their May level. Aggregate hours worked in construction rose 3.6 percent in September.

Domestic auto sales are 19 percent above their June low.

The unemployment rate fell to 7.5 percent in September.
[peak = 7.8% in May and July]

Employment increased 200,000 from July to September.
Total hours worked increased 0.6 percent in September.
Aggregate hours worked in manufacturing rose 0.9 percent

Industrial production rose 1 percent in September (after a rise of 0.6 percent in August)

Total retail sales increased faster than inflation in September.

Key points: HOUSING COST REDUCTION DEMONSTRATION

On October 22, Inflation Adviser Alfred Kahn and Assistant HUD Secretary Lawrence Simons announced the results of a HUD-sponsored project designed to demonstrate how builders and local government officials can cooperate to cut the cost of new home construction. The project shows that new homes can cost between 20% and 33% less than comparable housing units if:

- local governments expedite and consolidate licensing and permitting procedures, thus saving developers excessive financing/carrying costs;
- local building codes are modified to allow the use of less expensive and less time-consuming materials which do not sacrifice safety or the quality of construction;
- local zoning ordinances are changed -- without significant alteration of environmental standards -- to allow more efficient use of available sites;
- builders make use of innovative designs which employ contemporary engineering standards.

BACKGROUND

This demonstration project began after the National Conference on Housing Costs (February, 1979) determined excessive, uncoordinated state and local government regulations are a direct cause of increasing costs. The White House Conference on State and Local Government Reform (January, 1980) reinforced this. The National Association of Home Builders and other interested groups recommended demonstration projects.

Four sites were chosen: Hayward, California; Shreveport; suburban Pittsburgh; and suburban Portland, Oregon. The first three sites have produced impressive construction cost savings.

RESULTS

In Hayward, 58 two-, three-, and four-bedroom townhouse units will be constructed at one location. They will sell for \$53,000 to \$65,000 -- 33% less than comparable homes in the area. Costs are being saved by sharing sewer connections between back-to-back townhomes; by building homes at a density of 16.4 per acre; and by building energy-efficient features such as low-infiltration double-glazed windows into the homes. Permit-processing time was cut by nineteen months for the Hayward project.

In Shreveport, one of three housing sites is already open (September 12), a remarkable achievement given that the cost reduction project was begun in May. Seventy-five one- to three-bedroom homes will be constructed, costing between \$48,950 and \$59,950. Each unit includes a two-car garage or carport. The above prices are \$15,000 less than prices for comparable units at a suburban location. Costs were trimmed by eliminating front sidewalks;

by reducing slightly the size of standard windows; by using plastic pipes; and by modifying standard roof construction and roof fire-proofing practices. Permits were granted eight months earlier in Shreveport.

In suburban Pittsburgh, 26 detached homes will be completed next month on two sites. The homes will vary in size from 900 square feet to 1050 square feet and will cost between \$42,000 and \$45,600 -- about 24% less than similar homes using conventional construction methods. The savings result in part from the use of plastic pipe; a reduction in the number of catch basins for storm water; and construction techniques which require fewer wall studs and window jacks. Local government cut a full year from the normal construction permit issuance process.

In suburban Portland, progress on construction of 100 single-family detached homes has been slowed by several factors, including the introduction of new zoning ordinances for the area and the eruption of Mount St. Helens.

CONCLUSIONS

This small demonstration, using no federal funds and requiring a very short planning period, has shown that significant home construction cost savings are possible when local governments and builders cooperate. Although only four communities are involved in the project, similar results can be achieved in most communities nationwide.

These projects have the full support and cooperation of the mayors and county commissioners in the areas involved, as well as the enthusiastic participation of private developers. The result will be lower-cost housing for the citizens of their communities. This is exactly what regulatory reform is all about.

1723

To: William Casey (for transmittal to Martin Anderson)

THE WHITE HOUSE

WASHINGTON

October 10, 1960

D-246
D-80

MEMORANDUM FOR THE CABINET

FROM: ANNE WEXLER *AW*
AL McDONALD *AM*

SUBJECT: ECONOMIC INFORMATION

Because the Congress is not in session, there is no Inflation Report this week. Inclosed are Economic Talking Points and guidance on response to questions on the President's comments on the Federal Reserve's policies. These documents are not for public distribution, but they should be given to your key appointed officials. It is important that these materials be followed closely when talking about economic matters. Your assistance with this will be greatly appreciated.

Duplicate of D-235,
D-246, no postings
ELH

TO: Deputy, Bill Casey, Ed Deane

FROM: Dan Jones

RE: Jimmy Carter's Schedule October 28-November 3

DATE: October 27, 1980

According to latest information from reliable White House
memo # 6230 on October 27, the following is President Carter's
itinerary for the remainder of the campaign.

October 29	Pittsburg, Pennsylvania Rochester, New York Newark, New Jersey Philadelphia, Pennsylvania
October 30	Philadelphia, Pennsylvania New York, New York Bay City, Michigan St. Louis, Missouri Columbia, South Carolina
October 31	Columbia, South Carolina Tallahassee, Florida Memphis, Tennessee Jackson, Mississippi Houston, Texas
November 1	Houston, Texas Brownsville, Texas San Antonio, Texas Arlene, Texas Fort Worth, Texas Chicago, Illinois
November 2	Chicago, Illinois Detroit, Michigan Philadelphia, Pennsylvania
November 3	Philadelphia, Pennsylvania Akron, Ohio St. Louis, Missouri Portland, Oregon Seattle, Washington
November 4	Georgia

Repl. file

D-283

***Attached is recent White House memo re: certain economic information.

STATUS REPORT OF THE
OFFICE OF PROFESSIONAL RESPONSIBILITY
ON THE INVESTIGATION CONDUCTED CONCERNING
VARIOUS MATTERS PERTAINING TO BILLY CARTER

INTRODUCTION

This status report is being furnished pursuant to Department of Justice Order No. 907-80, dated August 1, 1980, signed by then Acting Attorney General Charles B. Renfrew (Appendix). Under the terms of that Order, the Counsel on Professional Responsibility was directed "to investigate for criminal, civil and administrative purposes, any offenses arising from the activities of 'Billy' Carter in acting as an alleged agent of the Libyan government ...". Paragraph (C)(10) directs that the "Counsel shall submit a final report to the Solicitor General. The Counsel may, to the extent permitted by law and as he deems appropriate, submit a final report to other Department officials and to the Congress." This first report will be incorporated in the Counsel's "final report," as required by paragraph (C)(10). This initial report is submitted to advise the Solicitor General of the currency of our investigation and of the additional investigative steps to be taken.

SCOPE OF THE INVESTIGATION

On July 25, 1980, shortly after the Attorney General's public disclosure of having talked with the President about the Billy Carter case, the Office of Professional Responsibility initiated an inquiry into the Attorney General's conduct. It was determined that the highest Department official to whom the Office could appropriately report was the Solicitor General. The scope of the inquiry quickly broadened into that authorized by Department Order No. 907-80. That Order directed the Office of Professional

Responsibility to conduct a "criminal, civil and administrative" investigation of the entire Billy Carter affair.

The scope of the inquiry conducted by the Office of Professional Responsibility has included the following matters:

- An examination of the activities of Billy Carter and his associates in connection with their dealings with Libyan officials, representatives, and businessmen.
- The adequacy of the Criminal Division's investigation of Billy Carter's activities.
- The actions of the Attorney General with respect to:
 - a. contacts with the White House involving the investigation and his public statements concerning such contacts;
 - b. any improper influences upon the Criminal Division which tended to influence the outcome of the case in any fashion; and,
 - c. the handling of sensitive classified information regarding the Billy Carter matter.
- The activities of State Department personnel in:
 - a. possibly succumbing to pressures by or on behalf of Billy Carter or his associates to release aircraft to Libya; and,
 - b. keeping White House personnel apprised of the Justice Department's investigation of Billy Carter.

- The actions of Dr. Brzezinski in using sensitive classified information in attempting to influence Billy Carter's activities.
- The actions of other White House personnel, including the President, in possibly monitoring the Department of Justice's investigation of Billy Carter, or in attempting to use such information to influence the outcome of the investigation.

To the greatest extent possible, an attempt was made to refrain from interfering with the pursuit of other investigations currently underway in the Southern District of New York, the District of Columbia, and the Central District of California. Consequently, some potential leads involving the activities of Robert Vesco and his associates, George Belluomini and his associates, and others, were not considered to be within the scope of the inquiry conducted by this Office and were not pursued. This decision was taken for two reasons. Those matters are being investigated outside of the Criminal Division. Moreover, those leads are relatively new and are not specifically within the area of responsibility of the Internal Security Section of the Criminal Division. Since our mandate is primarily focused upon the Criminal Division's conduct of the FARA investigation of Billy Carter, we saw no need to include a review of the adequacy of the efforts of other Department components which have not been the subject of misconduct allegations.

~~X~~ METHODOLOGY

Under the general supervision and direction of the Counsel, the investigative team assigned to this matter consists of Deputy Counsel Richard M. Rogers, and Assistant Counsel David P. Bobzien and John B. Curcio, all of the Office of Professional Responsibility. In addition, FBI Special Agent Delbert N. Dilbeck is a full member of the OPR unit. The FBI also has provided Special Agents Thomas W. Berge, Drew Carr, Edward J. Holiday, John T. McGirl, and James T. Tatman to assist with the investigation. They are supervised by Deputy Assistant Director David G. Flanders. Mr. Rogers coordinates all of the investigators' efforts.

With only a few exceptions, all interviews were conducted by Messrs. Bobzien, Curcio and Dilbeck. All the OPR team's interviews were taken under oath and the vast majority were recorded by a certified court reporter. Tape recordings were made of the others. Transcripts of all OPR interviews are being maintained either in the Office of Professional Responsibility or the Department's Special Security Center; those transcripts have been and continue to be available to individuals interviewed and their attorneys.

Although the Counsel was given the authority to conduct grand jury proceedings and to make applications for orders compelling testimony pursuant to grants of immunity, it has not been necessary during the course of the investigation to date to make use of the grand jury or to obtain immunity grants. Also, it should be

noted that a working agreement was reached with Assistant Attorney General Philip B. Heyman whereby the Internal Security Section of the Criminal Division continues to monitor those activities of Mr. Carter which he has a continuing duty to disclose under the provisions of the Foreign Agent Registration Act (FARA).

Our inquiry has included the review of telephone and appointment logs of Attorney General Civiletti, Deputy Attorney General Renfrew, and the following White House personnel: Thomas V. Beard, Deputy to the Assistant to the President; Phillip J. Wise, Jr., Appointments Secretary to the President; David L. Aaron, Deputy Assistant for National Security Affairs; Susan S. Clough, Personal Assistant/Secretary to the President; Lloyd N. Cutler, Counsel to the President and, Zbigniew Brzezinski, Assistant to the President for National Security Affairs. We were provided immediate and unrestricted access to the logs of the Attorney General and the Deputy Attorney General. After much discussion and negotiation, access was provided to the logs of Messrs. Beard and Wise. Access was also eventually provided to the logs of Mr. Aaron, Ms. Clough, Mr. Cutler and Dr. Brzezinski.

Regarding the President's diary and his personal notes, we have not been granted the access we sought, despite the President's public statements of total cooperation. After many "negotiation" sessions, White House Counsel, apparently acting pursuant to the President's instructions, have provided us extracts from the President's diary of meetings and telephone conversations between the

President and thirty-seven individuals whose names we had submitted to the Counsel's Office. We have also reviewed those extracts from the President's notes which White House Counsel claim represent all entries in the notes which pertain to Billy Carter and Libya. Additionally, we sent to the Counsel to the President, Lloyd Cutler, and Special Counsel to the President, Alfred Moses, a memorandum setting forth forty-four particular dates for which we asked to review the President's notes ourselves.

On August 8, 1980, we had advised the Counsel to the President that an interview of the President under oath would be necessary. In the course of each of our negotiating sessions, we repeated that requirement. Such an interview, we told the White House Counsel, would not be fruitful until such time as we had completed a review of the President's diary and notes. As just noted, that process has not yet been completed even though a firm date for the interview, October 15, had been scheduled [it was cancelled in favor of a campaign appearance of the President] and two additional dates, October 23 and 24, had been tentatively agreed upon as potential alternatives. As of this time, no interview has been scheduled. Unless the President's notes for the days we have requested are made available shortly and unless an interview is scheduled within a reasonable time, we may be required to use compulsory process to obtain the President's testimony.

SUMMARY OF BILLY CARTER'S ACTIVITIES

In late 1977 or early 1978, Atlanta realtor Mario Leanza, an Italian immigrant who obtained U.S. citizenship in 1953, traveled to Catania, Sicily at the expense of his brother, Giovanni Leanza. The latter was attempting to induce Mario Leanza to retire in Catania and for that reason provided him with an airplane ticket to Catania. According to Mario Leanza, he undertook the trip for the purpose of obtaining pension benefits as a result of 14 years Italian Government service.

While in Catania, Leanza met Michele Papa, an attorney residing in Catania, who represented the "Associazione Siculo-Araba" (Sicilian-Arab Association). Mr. Papa is approximately 56 years of age, and is President of the Sicilian-Arab Association. According to newspaper accounts appearing in the Italian press, he has ties to several terrorist and communist groups operating in Italy and the Arab world. Also, in September, 1978, he allegedly met with three representatives of the Palestine Liberation Organization and offered medical and combatant support to the PLO. In addition, he offered the use of Sicilian hospitals to care for as many as 200 injured Palestinians.

During Leanza's stay in Catania, Papa suggested to Leanza that he could earn a substantial fee if he could arrange to bring Billy Carter to Libya. After Leanza's return to Atlanta, he received

several telephone calls from Papa requesting that he arrange for Billy Carter to visit Libya. Leanza eventually received a letter, dated April 18, 1978, from Papa inviting Leanza and "the brother of President Carter" to visit Libya at Papa's expense.

Inasmuch as Leanza did not know Billy Carter, he attempted to contact Bert Lance in order to arrange for an introduction to Mr. Carter. He was unsuccessful in that effort. During this period, he had occasion to mention his desire to meet with Billy Carter to another Georgia realtor, Tom Jordan, who, through Georgia State Senator Floyd Hudgins, did arrange for the introduction. In the summer of 1978, Leanza, Jordan, Hudgins and Gibril Shalouf, the Libyan Ambassador to Italy who was visiting the United States, traveled to Plains, Georgia, where they met Billy Carter, his wife, and children. According to Mr. Leanza, this group spent two or three hours at Billy Carter's service station in Plains, at which time the Ambassador extended an invitation to Mr. Carter to visit Libya. According to Leanza, the Ambassador told Billy Carter that the entire trip would be paid for by the Libyan Government and that Mr. Carter could invite non-Jewish guests. Leanza stated that Mr. Carter accepted the invitation.

Mr. Carter's recollection of these events differs from Mr. Leanza's. Rather than a two or three hour visit, Mr. Carter recalls the visit as not lasting over thirty minutes. Moreover,

in his interview with us, Mr. Carter stated that he did not accept the invitation at that time, but accepted it "sometime later on."

In the latter part of September, 1978, the group, which included Mario Leanza, Billy Carter, Randy Coleman, Tom Jordan, State Senators Floyd Hudgins and Henry Russell, joined by Mr. Shalouf, traveled to Tripoli by way of Rome. They remained in Tripoli from September 27, 1978 through October 1, 1978. During the visit, Mr. Carter and his associates were lavishly entertained by various Libyans, one of whom was Ahmad al-Shahati, a high level official who headed the Foreign Liaison Bureau, an office separate from the Libyan Foreign Ministry, but with growing influence and power over Libyan foreign policy.

It would appear that the Libyan motivation for inducing Billy Carter to undertake this trip was to attempt to get him to become a vehicle for softening the rather poor public image of the Libyan government in the United States. Given Mr. Carter's propensity for gathering unfavorable publicity as a result of some of his actions and statements, the wisdom of the Libyan government's attempt to use him to improve its public image is open to question. However, according to several State Department officials responsible for monitoring Libyan affairs, it is not surprising that the Libyan government sought to bring its case directly to the American people, or that they sought to use Billy Carter to attempt to achieve their objectives. With respect to the former (a direct appeal to the American people), Libya has long favored "people to people"

programs. The dual purpose of these programs is to avoid dealing through governments "hostile" to Libyan goals and, by appealing directly to citizens in those countries, to undermine the official position of the Government. The faith in such programs rests, perhaps in large part, in the rather simplistic belief fostered by the familial, even tribal, customs and habits of a people in so sparsely populated a country. As stated by State Department Libyan desk officer Alan Roy:

— It is the kind of situation that you get when you come from a country with only 2.8 million people; you have some difficulty visualizing a country with 222 million.

With respect to the use of Billy Carter to further Libyan interests, again according to State Department sources, in Libyan society, family members have great influence upon the actions and views of other family members. It is not surprising, therefore, that the Libyans may have believed that Billy Carter could influence the actions of his brother, President Carter, on behalf of the Libyan government. Additionally, there existed the possibility of luring Billy Carter into an embarrassing situation and later exploiting that fact in some way.

Billy Carter's trip to Libya in 1978 came with minimal warning to U.S. Government officials at the White House and at the State Department. President Carter has publicly stated that he did not personally become aware of the trip until it had already commenced. As for the State Department, a cable from the American Embassy in Tripoli, dated September 24, 1978, informed the State Department

that Ahmad al-Shahati had told U.S. charge William Eagleton about the impending Carter visit. That cable apparently crossed with a cable from the State Department to the U.S. Embassy in Tripoli which stated in part:

1. Department understands that Billy Carter has departed U.S. on private visit to Libya via Paris. Despite inquiries, Department unable to identify other people traveling with Billy Carter or purpose of their visit to Libya.
2. Charge requested ... to alert them (Carter party) to sensitive nature of U.S.-Libyan relations and to acquaint them with U.S. positions affecting bilateral relations.

The record is both contradictory and confusing specifically as to which officials obtained some advance word of the trip. Billy Carter and Randy Coleman stated in their interviews that they had no recollection of speaking with any U.S. Government officials prior to the trip. Phillip J. Wise, Appointments Secretary to the President and longtime friend of both Billy Carter and Randy Coleman, likewise has no recollection of discussing Libya with Mr. Carter prior to the first trip. However, Karl Inderfurth, former Special Assistant to Dr. Brzezinski, and William B. Quandt, formerly of the National Security Council staff, both recall briefing Randy Coleman by telephone prior to the first trip on the state of U.S.-Libyan relations. Mr. Quandt recalls speaking with Billy Carter.

As for State Department officials, Donald Hester, the Algerian desk officer who served as the back-up Libyan desk officer, recalled receiving a phone message that someone, perhaps Billy Carter, was inquiring about the state of U.S.-Libyan relations. He does not believe that he succeeded in returning the call and has no recollection of briefing Billy Carter or Randy Coleman. Because State was unsure whether the White House was aware of Billy Carter's impending trip to Libya, it informed the National Security Council (NSC) of the information available to it.

Subsequent to the State Department's contact with the NSC, Thomas Beard, Deputy to the Assistant to the President, became the contact point between the State Department and the White House regarding Billy Carter's trip. He consulted with Susan Clough, the President's personal assistant and secretary, to inform her and the President of the sketchy information then available regarding the trip. Mr. Beard was advised by Ms. Clough that the President was not aware that his brother was enroute to Libya. Mr. Beard subsequently contacted the State Department, agreed in substance with the contents of the State Department cable, dated September 26, 1978, quoted in part above at page 11, and requested that he be kept informed of Billy Carter's activities in Libya. Consistent with this request, at least two, and perhaps four, State Department cables from the American Embassy in Tripoli were hand-carried to Mr. Beard by the new Libyan desk officer, Leonard Scensny.

Scensny's actions were approved at least by James E. Bishop, then Director of the Office of North African Affairs, and probably by Morris Draper, Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs.

Thomas Beard, a political assistant to the President, whose general responsibilities involved mainly domestic issues, was the individual at the White House who came to deal with the State Department on this matter. The only other area in which Mr. Beard routinely communicates with the State Department involves the composition of official delegations sent to foreign countries for specific events. The purpose for and manner of Mr. Beard's selection for this additional role is not known. He indicated to us that he made no use of the information provided to him by State. All persons interviewed at State expressed their belief, however, that it was a proper exercise of the State Department's duties to have kept the White House fully informed of Billy Carter's activities in Libya, since those activities could have had an impact upon the foreign policy of the United States. We certainly do not disagree with that assessment.

While in Libya, Billy Carter exhibited moderation in his behavior. According to Billy Carter and Randy Coleman, no business matters were discussed with the Libyans; no attempts were made by their hosts to influence American foreign policy; and, the question of the release of American aircraft to Libya never arose. Their

statement regarding this last matter--the release of aircraft to Libya--is disputed, however. Mario Leanza has stated that he was present when the C-130 issue was raised at a dinner reception during which Billy Carter promised to obtain aircraft for Libya. In addition, Georgia State Senator Floyd Hudgins has stated to the FBI that he was present at a cocktail party in the yard of the American Embassy in Libya when he heard a Libyan official tell Billy Carter and Randy Coleman that the Georgia economy would be improved if the C-130's were released and that the Libyan government would be willing to pay a commission to have the planes delivered. That such discussions probably occurred is bolstered by State Department personnel familiar with Libyan affairs who have said that it is virtually "impossible" to meet with Libyan officials for any substantial period of time without having the aircraft issue arise.

According to various individuals who went on this trip, Billy Carter on several occasions extended an invitation to Mr. Shahati and other Libyan officials to visit the United States. In addition, the Libyans expressed a desire to form a friendship society, to be known as the Libyan-Arab-Georgian Friendship Society, which was to be a vehicle for improving relations between the people of Libya and the people of the United States. A sample charter was provided to the Georgia group and it was subsequently given to Georgia attorney David Gambrell for his use in drafting an actual

charter. On November 2, 1978, Billy Carter wrote a formal invitation to Shahati inviting him and selected delegates to Georgia.

Although Billy Carter returned to the United States from Libya during the first week of October, 1978, we believe that it is purely coincidental that the State Department announced its decision to allow the release of two Boeing 727 aircraft to Libya on October 6, 1978. ⁵

According to the files of the State and Commerce Departments, on February 10, 1978, the Commerce Department forwarded to the State Department the license application required to permit the sale of the Boeing 727 aircraft to Libya. On March 15, 1978, the State Department denied the application because of Libya's support of international terrorism. According to Commerce Department records, because potential aircraft orders from Libya through 1985 might amount to \$650 million, the Commerce Department concluded that the economic and commercial factors favoring approval outweighed the foreign policy factors considered by State. On May 30, 1978, Commerce asked State to reconsider. The Commerce Department argued that if the sale were not approved, Libya would turn to European aircraft manufacturers. Commerce feared that other North African countries, which tend to coordinate aircraft purchases in order to make servicing and maintenance more economical, would follow Libya's lead. Commerce determined that the loss of such revenues would have had a substantial impact on the export expansion program of the United States.

Following direct appeals to Secretary of State Cyrus Vance, other high-level consultations, and "handwringing" by officials both in the State and the Commerce Departments, by early October, 1978, it was believed that Libya's official support of terrorism had softened to the extent that, if it could be assured that the 727 aircraft would not be used for military or terrorist purposes, then Libya's moderation of its position could be encouraged through the release of these aircraft. Accordingly, on October 6, 1978, the State Department announced it would approve the sale. Export licenses were granted on November 13, 1978. The State Department required written assurances from Libyan Arab Airlines that the two aircraft would be used solely for civil aviation and would not become Libyan state aircraft. The Libyan government was also informed that violation of these assurances could lead to an embargo of spare parts for these aircraft, as well as the disapproval of the sale of any additional civilian aircraft to Libya. Subsequently, Libya, in an effort to aid Uganda's Idi Amin, used Libyan Arab Airlines aircraft for military purposes in Uganda, and, consequently, future sales of aircraft to Libya were blocked.

Given the background of the intense dispute between the Commerce and State Departments regarding the release of these aircraft, it is virtually inconceivable that Billy Carter or Randy Coleman could have exerted any pressure on the State Department, which would cause that Department to abandon so abruptly a decision.

which had been the subject of difficult discussions and disagreements for many months. It is clear that the State Department acted with a view only for the national interest and that Billy Carter had no role in the evolution of the State Department's decision to allow the release of the two 727 aircraft.

It is nevertheless curious that, on two separate occasions, Billy Carter or Randy Coleman asked Government officials about the release of aircraft to Libya. Although Mr. Coleman has stated that he has no recollection of the event, Morris Draper of the State Department told us that, at the request of William Quandt of the NSC, he briefed Randy Coleman on the State Department's reasons for refusing to permit the release of C-130 aircraft to Libya. The second inquiry was brief and occurred in February, 1979, at the Libyan Embassy in Washington. Alan Roy, the Libyan desk officer, was asked by Mr. Carter about the status of "Boeing aircraft." According to Roy, he assumed that Mr. Carter's inquiry related to 727 aircraft and he stated that they had been released. According to Mr. Roy, Mr. Carter's only response was: "Good."

Immediately prior to Billy Carter's written invitation, dated November 2, 1978, to Mr. Shahati to visit Georgia, Carter and certain of his associates began a series of meetings in Georgia to explore various commercial trade possibilities with the Libyans for Georgia-produced agricultural commodities. Randy Coleman described two meetings that took place prior to the Libyans' visit.

These meetings occurred at the Best Western motel in Americus and at Tom Jordan's house in Atlanta. On both occasions, possible future business dealings with Libya and the "percentages" each of the participants would receive after the deals were consummated were discussed.

In late 1978, a question arose as to the legality of a visit by Libyan government officials to Georgia. To resolve this issue, Randy Coleman called James Bishop of the State Department and later received a letter, addressed to "Randy Culman," dated December 12, 1980, from the Libyan desk officer, Leonard Scensny. Although this letter discouraged the visit, it did not specifically object to the visit. Despite the letter's undisguised negative attitude toward the delegation's possible visit to Georgia, Deputy Assistant Secretary Draper told us that a visit by a Libyan goodwill delegation to the United States had a positive aspect since the delegation would probably learn a great deal about American attitudes toward Libya.

Sometime during January 1979, Randy Coleman, as noted on page 17, was briefed by Morris Draper on the Department of State's position regarding the export of C-130 aircraft to Libya. Mr. Draper recalls having been asked by William Quandt of the NSC staff to provide information to Billy Carter on the status of the C-130 aircraft issue. Draper recalls Quandt's having told him that he

(Quandt) had recently been in touch with Billy Carter, but had been unable to provide Mr. Carter with current information. For that reason, Quandt asked Draper to provide a telephonic briefing to Mr. Carter. Draper stated that he was not surprised that Randy Coleman answered the phone and that he, therefore, gave Coleman the briefing. Coleman asked no questions and simply commented that individuals in Georgia were interested in this issue, since the C-130's "were out on the runway in Marietta, Georgia." Coleman did not, according to Draper, attempt to influence the State Department's position.

On January 8, 1979, the Libyan delegation arrived in Atlanta. Randy Coleman had spent many weeks in Atlanta prior to that date arranging for the trip, establishing a schedule, reserving a banquet hall, and generally engaging in other trip-related activities. According to Mr. Coleman, Billy Carter incurred substantial expenses in making the necessary arrangements and Mr. Carter was upset because they experienced difficulties in obtaining contributions from Tom Jordan and Floyd Hudgins.

Although a specific number has not been established, the Libyan delegation was large, numbering as many as forty persons. It was headed by Mr. Shahati. On January 9, 1979, Billy Carter hosted a large reception at the Atlanta Hilton for several hundred persons, including his mother, Lillian Carter, and his sister, Ruth Carter Stapleton. It was at this reception that the charter for the

Libyan-Arab-Georgian Friendship Society was signed. As he signed the charter, Billy Carter is reported to have said: "The Libyans are the best friends I've ever made in my life." Later during the delegation's visit to Georgia, Billy Carter allegedly made statements which provoked a storm of negative publicity in the United States media. For example, on January 11, 1979, The Washington Post quoted Mr. Carter's now-famous statement: "There's a hell of a lot more Arabians than there is Jews." Billy Carter's activities became increasingly erratic during this period and his statements became increasingly intemperate.

The Georgia group, which included Mr. Carter, Mr. Coleman, Americus Best Western Motel owner James Murray, Georgia businessman Arthur Cheokas, and accountant Donny Roland, shifted their efforts to commence business dealings with the Libyans into high gear. Bert Lance was contacted for advice and he suggested that the group discuss its options with Georgia attorney Robert L. Schwind. Their discussions focused on a plan to engage in the sale of commodities to Libya, but no further specifics emerged.

By February 22, 1979, Mr. Carter's health had so deteriorated that he entered the Americus hospital. On March 6, 1979, he entered an alcoholic rehabilitation program at the Long Beach Naval Hospital in California, where he remained until April 26, 1979. By the time he was admitted to the Americus Hospital, Mr. Carter had

decided to rely upon Randy Coleman to pursue possible business dealings with the Libyans.

Joel S. Lisker, Chief of the Criminal Division's Registration Unit of the Internal Security Section, had read newspaper accounts of Mr. Carter's activities with the Libyan delegation in Georgia and concluded that, if the newspaper accounts were accurate, Billy Carter could be subject to the registration requirements of the Foreign Agent's Registration Act (FARA) (22 U.S.C. 611 et seq.). Accordingly, Mr. Lisker, with the approval of his superiors, wrote a letter, dated January 12, 1979, to Mr. Carter informing him that his activities might be subject to the Act's registration requirements and requesting further information concerning his relationship with Libya. According to the Return Receipt form, this letter was received by Randy Coleman as an "authorized agent" for Mr. Carter. Because he received no response to this letter, Mr. Lisker mailed a follow-up certified letter to Mr. Carter on January 30, 1979. The return receipt for this second letter establishes that the letter was accepted by Frances Irlbeck, a secretary to Billy Carter. Billy Carter stated to us that he does not recall having received either letter.

With respect to FARA, all Criminal Division personnel interviewed by this Office have described it as a low-priority, disclosure statute. Although both civil and criminal penalties are provided for in instances of the Act's violation, the Criminal Division has not used the law's criminal sanctions since 1963.

Historically, compliance with the registration provisions of the Act has been extremely poor.

Following the Libyan delegation's departure, Billy Carter pursued possible business dealings with Libya--a subject he had broached at his home in a brief exchange with Mr. Shahati. Billy Carter spoke with Mohammed al-Burki, an official of the Libyan General People's Congress, and the possibility of a second trip to Libya, involving Mr. Carter, Randy Coleman, and Arthur Cheokas, was discussed. However, in view of his hospitalization on February 22, 1979, Billy Carter directed Randy Coleman to take this trip--which for unknown reasons ended in Rome. In addition, Billy Carter informed this Office that he had instructed Randy Coleman that Bert Lance should be contacted to obtain advice on how best to proceed in trading with the Libyans. Mr. Carter has stated that oil was not discussed prior to Randy Coleman's departure on this trip. Mr. Coleman stated when interviewed that he did discuss oil with Mr. Carter prior to his trip, and that Mr. Lance recommended a London banker who could provide the necessary information regarding oil.

Coleman stated that during the March, 1979 trip he and Cheokas carried with them samples of commodities, such as cotton and corn, to exhibit to the Libyans. Coleman stated that he and Cheokas met Shalouf at the Rome airport and showed him the array of commodity samples which they had brought with them. According to Mr. Coleman,

Shalouf stated that the assortment would simply "confuse" the Libyans and that Coleman should pick just one commodity for possible trade. At this point, Coleman chose oil because it had the greatest potential for large profits. Coleman subsequently met with Mr. Shahati, informed him that the Georgians desired to deal in oil, and was told by Shahati that he (Shahati) would check into the possibilities. Cheokas and Coleman thereupon proceeded on a personal visit to Greece and returned to the United States via London. Coleman stated that in London, he met with the banker recommended by Mr. Lance who was supposed to be an expert on oil trade. Although he does not recall the banker's name, Coleman believes it to be similar to "Baqui." Coleman did not recall the name of the bank, but Bert Lance has identified it as the Bank of Commerce and Credit International.

During the latter part of April, 1979, Randy Coleman briefed Billy Carter on the results of his meeting with Mr. Shahati in Rome and on the background information gathered from the London banker regarding oil dealings. Billy Carter stated to us that upon learning that Mr. Coleman's discussions had focused upon oil rather than agricultural commodities, he was not greatly interested, since he knew little about the former, but a great deal about the latter. Billy Carter states that the first time his group of business associates discussed oil dealings was subsequent to the March, 1979 trip by Randy Coleman to Rome. Mr. Coleman's recollection is that

oil had been focused upon perhaps as early as January, 1979, but, in any event, prior to his leaving for Rome.

As a result of a suggestion by Mohammed al-Burki, Billy Carter and Randy Coleman traveled to Rome in May, 1979 for a weekend meeting with Mr. Shahati and others. They were told by Shahati that dealing with oil would be no problem, but that the Libyans had a firm policy of not dealing through brokers. Messrs. Carter and Coleman were told that they should associate themselves with an oil company of which the Libyans could approve and that the Georgians should obtain their financial benefit directly from that oil company. The Libyans stated that when oil contracts came up for renewal in December, 1979, the oil allocation to the Company with which they would become associated would be increased, and Mr. Carter would be entitled to a commission as a result. During the course of these discussions with Shahati, Ali el-Bouderi, and Shalouf, Billy Carter personally requested a \$500,000 loan from the Libyans. Shahati stated that, although he foresaw no problems, he would have to check with others in Libya.

Upon their return to the United States, Messrs. Carter and Coleman therefore were preoccupied with two concerns: (1) working out a commission agreement with an oil company acceptable to the Libyans; and (2) pursuing negotiations for the loan requested by Billy Carter. Their main contact on both issues was Mohammed Burki, then assigned to the Libyan embassy in Washington.

With respect to the problem of locating an oil company acceptable to Libya, Billy Carter came to Washington in June, 1979 and met with Jack McGregor, his former Marine Corps Lieutenant. Mr. Carter told us that he contacted Mr. McGregor because he was the only person he knew who was in the oil business. McGregor recommended three oil companies to Mr. Carter: an Italian company² ("which [Mr. Carter] turned down immediately"), Hess Oil Company, and Charter Oil. Mr. Carter ultimately chose Charter Oil. Billy Carter discussed the matter in a telephone exchange with Charter Oil President Jack Donnell, and Lewis Nasife, President of the Charter Crude Oil Company, became responsible for dealing with Billy Carter. On August 17, 1979 Mr. Carter, Mr. Nasife, and others met, and a commission arrangement, later memorialized in writing, was agreed upon.

With respect to the second problem (following through on the \$500,000 loan), Randy Coleman stated that Mr. Burki called the Georgians and asked that they come to New York City to meet with a banker to discuss the loan. In early August, 1979, Billy and Sybil Carter, Randy Coleman, accountant Donny Roland, and Billy Carter's attorney Helen Medlin traveled to New York to meet with Mr. Burki and the banker. Billy and Sybil Carter were also to make a guest appearance on a morning television show. Burki informed the group in New York that the banker was unable to meet with them there. The following day, Messrs. Coleman and Roland, and Ms. Medlin flew to

Washington to meet with a banker, whom Mr. Coleman recalled as a "Mr. Saudi" of the "Foreign Libyan National Bank." According to Mr. Coleman, the meeting was held in "Mr. Saudi's" hotel room, and the discussion involved collateral, interest, and time period of the loan, repayment schedules, and so forth. Billy Carter was supposed to use his service station and home as collateral, and the interest rate for the loan was to be ten percent per annum. Mr.⁵ Coleman thereupon flew to New York to brief Mr. Carter on these discussions. [Billy Carter declined our request to waive the attorney-client privilege regarding Ms. Medlin.]

By this time, Joel Lisker was in the early stages of his investigation of Billy Carter's possible requirement to file under FARA. On March 22, 1979, Lisker had telephoned John Parks, an attorney for Mr. Carter, who stated that he had filled out the FARA forms for Mr. Carter and returned them to Mr. Carter. Having received no response from Mr. Carter, on April 24, 1979, Mr. Lisker wrote a memorandum to the FBI requesting interviews of John Parks, Mario Leanza, Tom Jordan, Randy Coleman, and Georgia State Senators Floyd Hudgins and Henry Russell. In addition, Lisker had requested that the FBI Legal Attache (Legat) in Rome ascertain the whereabouts of "Mischehele [sic] Papa," and provide any information regarding his association with representatives of the Government of Libya. Lisker had informed the FBI that Leanza had met with Papa in Catania, Sicily in early 1978. [

On June 12, 1979,

Lisker requested that the FBI check the records of the CIA and NSA in an effort to locate Papa. It is not clear why the Legat did not find and report that the Catania telephone directory lists, under the name Michele Papa, two addresses, one for his home and one for his law office. This was the individual being sought by Mr. Lisker. The Bureau finally did report in a memorandum, dated October 30, 1979, that, as a result of a requested interview of a Rosario Polizi, Leanza's nephew, that Papa was Michele Papa--an attorney in Catania. In addition, Lisker contacted the Departments of State and Commerce in August, 1979, in order to determine whether Billy Carter had attempted to obtain the release of aircraft for Libya. On September 5, 1979, Lisker received a letter, postmarked August 28, 1979, from Billy Carter stating that he was anticipating entering into business relations with the Libyans which might require his registration as a foreign agent and requesting that FARA registration forms be mailed to him. Lisker forwarded these forms to Mr. Carter on September 12, 1979, and again on October 18, 1979, after learning that Mr. Carter had stated to the press that he had not received the set of forms mailed on September 12, 1979. The return receipt accompanying the September 12, 1979 mailing indicates that it was accepted once again by Mr. Carter's secretary, Frances Irlbeck.

During late July or early August 1979, Burki traveled to Plains to make arrangements to carry out the invitation extended by Mr. Shahati in Rome, in May, 1979, inviting Billy Carter to attend the celebrations in Tripoli of the Qadhafi regime's Tenth Anniversary in power. Mr. Carter, his wife, and others in the party left for Tripoli in the latter part of August, 1979. Randy Coleman did not accompany the group because his wife was unable to obtain a leave of absence from her teaching position. However, after approximately two weeks, Billy Carter called Randy Coleman and was ultimately successful in persuading him to join Mr. Carter in Libya.

Mr. Carter was in Libya for nearly one month. He attended numerous official Libyan functions and met with Shahati on seven or eight occasions. Although prior to the trip he had been told that his personal loan request would be worked out in Libya, he was repeatedly told while there that the loan would be finalized later in the United States. With respect to his oil deal, Mr. Carter gave the Libyans a letter, dated August 21, 1979, from Charter Oil containing the agreement between Mr. Carter and Charter. Mr. Carter has stated to us that he felt no particular urgency in consummating the oil deal, since oil contracts were renegotiated by the Libyans only in December of the year, and there was a great deal of time remaining during which this matter could be arranged. Mr. Carter remained in Libya for such an extended period of time because he had been promised an interview with Col. Qadhafi, but was repeatedly

put off by the Libyans. His patience worn thin, Billy Carter finally left Libya and returned to the United States.

Upon his return, Billy Carter informed Jack McGregor that the oil deal looked promising. At Billy Carter's direction, Randy Coleman made numerous telephone calls to Ali el-Houderi at the Libyan Embassy in Washington in order to press the matter of the loan. On several occasions Billy Carter himself spoke with Dr. Houderi. These contacts occurred from the period of Mr. Carter's return from Libya in September, 1979, and continued through late December of that year.

During the period of Mr. Carter's second trip to Libya, the State Department reinitiated its contacts with the White House in order to keep the White House aware of Billy Carter's activities. According to W. Alan Roy, the State Department's Libyan desk officer, he received a telephone call in mid-July, 1979, from his wife saying that she had been listening to the "Phil Donohue" show on television and that Billy Carter had appeared as a guest and stated that he would be traveling again to Libya. Mr. Roy thereupon telephoned Thomas Beard at the White House and told him of Billy Carter's statement. According to Mr. Roy, Mr. Beard's response was: "Oh, damn." Later that day, Beard telephoned Roy and asked that Roy inform the American Embassy in Libya that Billy Carter should be treated strictly as a private visitor. Alan Roy stated to us that he sent a letter to the embassy forwarding this instruction.

Mr. Roy had several telephone conversations with Mr. Beard during the period of Mr. Carter's second trip. Mr. Roy does not recall passing along any actual cables to Mr. Beard, but the information which had been provided by the Embassy to State was certainly passed along orally. In addition, Mr. Roy told us that he discussed with Beard the fact that Joel Lisker was conducting an investigation of Carter and that Lisker had requested copies of numerous State Department documents. The State Department provided the Office of Professional Responsibility with a copy of a memorandum by Alan Roy, dated September 5, 1979, which states:

Received a phone call from Joel Lisker of the Department of Justice. He is conducting an investigation of Billy Carter and wishes to review documents in our file ... I also informed Morris Draper and Carl Coon of request. Draper cleared notification to Tom Beard. In addition, I also alerted P and D of request. Both cleared informing WH. ["P" is an initial for Undersecretary David Newsom's Office, and "D" is an initial for Deputy Secretary of State Warren Christopher's Office.]

Roy discussed the Justice request with Mr. Beard, who, according to Roy, told Roy to give "100 percent" cooperation to Justice. Roy told us that this conversation must have occurred during the course of one of as many as four telephone conversations with Beard during the period from August 31, 1979 and September 5, 1979. Roy stated that he had no recollection of advising the White House which specific documents had been requested or which documents were in fact furnished to Lisker. Morris Draper has verified the accuracy of

Mr. Roy's September 5, 1979 memorandum. Confirmation that the matter was brought to the attention of Deputy Secretary of State Warren Christopher is found in a typed note, dated August 31, 1979, from Douglas Dworkin, Executive Assistant to Warren Christopher asking "whether Beard should be informed of the DOJ request." Mr. Beard recalls one conversation with Mr. Roy, during the course of which Mr. Roy volunteered that the Justice Department had requested State's files on Billy Carter. Beard states that he brought this to the attention of either Douglas Huron or Michael Cardozo--both in the White House Counsel's Office. The only other relevant recollection of Mr. Beard regarding this second trip of Billy Carter to Libya is that upon learning that Mr. Carter was planning to leave, he believes he called Susan Clough, the President's secretary, and informed her of the fact of the trip. Contacts between State and the White House regarding Billy Carter apparently ceased shortly after the conclusion of the trip.

It was during this period, when Billy Carter's attempts at consummating his oil deal appeared stalled and his importunities of Dr. Houderi to secure a personal loan grew in persistence, that the Iranian student militants seized our Embassy in Tehran on November 4, 1979 and took its personnel hostages. According to the President's statements to Congress in August, 1980, it was Rosalynn Carter's idea that Billy Carter might be able to induce his Libyan "friends" to aid in the effort to free the hostages. During the third week

in November, Mrs. Carter called Billy Carter from Camp David and was told by him that the Libyans might be of help. Mrs. Carter told the President of her call the following day and on November 20, 1979, President Carter asked Dr. Brzezinski to arrange a meeting with Ali el-Houderi in Washington. Billy Carter flew to Washington, made arrangements for the meeting, and attended the meeting, which was ultimately held on November 27, 1979. Present at that meeting were Billy Carter, Randy Coleman, Ali el-Houderi, and Dr. Brzezinski. Dr. Brzezinski asked Dr. Houderi to tell Col. Qadhafi on behalf of the President that it was hoped that the Colonel would exercise whatever leverage he could to influence the Iranians to release the hostages. On November 29, 1979, Col. Qadhafi responded through appropriate channels that Libya would continue to assist in the effort to free the hostages. Billy Carter's only direct participation in the effort to obtain the hostages' release was in setting up the November 27, 1979 meeting and his attendance at that meeting.

Shortly after the November 27, 1979 White House meeting, Billy Carter stepped up his efforts to resolve the loan and oil issues. Jack McGregor telephoned the Libyan Embassy on several occasions in order to ascertain the status of the oil negotiations. On December 18, 1979, Billy Carter met Dr. Houderi at the Libyan Embassy in Washington and it was decided that, given the critical time frame regarding Libya's renegotiation of oil contracts, Randy Coleman should accompany Dr. Houderi to Libya in

late December, 1979 to meet personally with Libyan officials responsible for the renegotiation process. In addition, either in person or on the phone, Billy Carter requested that Dr. Houderi arrange an advance on the \$500,000 loan. Randy Coleman stated that at some point prior to his December trip to Libya, which commenced on December 28, 1979, he was told by Billy Carter to go to the Libyan Embassy in order to pick up an advance on the loan. On December 27, 1979, Randy Coleman carried out this instruction, obtained a \$20,000 check, and mailed it to Billy Carter from a Washington airport immediately prior to leaving for Libya. This check was deposited by Billy Carter on December 31, 1979, in an account at Columbus (Georgia) Bank and Trust.

While in Libya, Coleman on several occasions met with Mr. Shahati, who assured Coleman that the oil deal had been approved and that Mr. Coleman would be meeting with the Libyan oil minister shortly. However, before Coleman could meet with the minister, Shahati informed him that the minister had been fired. Coleman initially waited for the appointment of a new minister, but was told that it might be as long as four weeks before the new minister would be "settled in." Coleman returned to Georgia and informed Billy Carter of his unsuccessful effort to obtain an oil agreement.

During this same period, the Criminal Division's investigation had focused on whether Billy Carter had received any kind of remuneration from the Libyans. Lisker was aware that Billy Carter

had received a saddle containing silver threads from the Libyans and that the Libyans had at least attempted to provide a "gold saddle" to President Carter as a gift. Lisker ascertained that no gold saddle was ever received by the President. In order to pursue his investigation, Lisker sought an interview with Billy Carter during January, 1980. That interview occurred in Americus, Georgia, on January 16, 1980.

During the course of that interview, Billy Carter generally confirmed what was known about his trips to Libya and his activities involving the Libyans. He stated that in June or July, 1978, Gibril Shalouf stayed in the back of Billy Carter's service station for approximately ten minutes and invited him to Libya for a "good-will visit." He stated that he did not accept the invitation at that time, but told Shalouf that he would think about it. As a result of calls from Senator Hudgins and realtor Tom Jordan, in August, 1978, he accepted the invitation, primarily because it was to be an "all expense paid" trip. Mr. Carter stated that his group did travel to Libya and received a general orientation reception from the Libyans. He denied having any discussions with the Libyans regarding aircraft and denied making any statement to the effect that he would see what he could do to obtain the release of aircraft to Libya. Mr. Carter stated that as a result of a Jack Anderson article relating to aircraft for Libya, which he felt was unfair to himself and to the Libyan people, he called Phillip Wise

at the White House to request information on Libyan aircraft purchases. According to the information Carter provided to Joel Lisker on January 16, 1980, Wise told Mr. Carter that he would have someone return the call and shortly thereafter he received a telephone call from an official whose name he was unable to recall. He did recall, however, that the official was from the Department of State. Carter told Lisker that while in Libya on his 1978 visit, he received 200 dinars (about \$260) for incidental expenses, but directed Randy Coleman to donate this money to the American School in Tripoli for a new copy of the Koran. He stated that he also received a horse saddle, which was leather and covered with a heavy cloth containing silver threads woven into its fabric.

With respect to the Libyan goodwill delegation's visit to the United States in January, 1979, Mr. Carter told Lisker that he extended the invitation to the Libyans to visit Georgia and that, during the course of the visit, he and his family were presented with several gifts including four gold bracelets for his daughters, a large silver and bronze serving tray for his wife, and a scimitar for his son. He told Lisker at that time that \$6,000 to \$7,000 advance money for the trip came out of his own pocket, and that he was not reimbursed for this expense. Mr. Carter was asked if he, directly or through any other person, attempted to influence the disposition of the aircraft purchased by the Libyans. He responded by first asking if the question was

intended to include contacts which he may have had with his mother, Mrs. Lillian Carter, or his brother, President Carter. Lisker told Carter the question included them. He thereupon declined to answer the question because he said that he felt that what he might have said to his mother or brother was not the government's business. When the question was restated excluding his mother and brother, he still refused, restating that it was still none of the government's business.

During the interview, Billy Carter stated that he had no formal or informal relationship with the Libyan Government or any entity thereof. He stated that he had no expectation that any business relationship would materialize between himself and the Libyans. During the interview Billy Carter made no mention of his receipt of a \$20,000 "loan" from the Libyans approximately two weeks earlier, nor did he mention that he was deeply involved in oil negotiations with the Libyans.

Regarding his second trip to Libya, during August and September, 1979, he stated that he was invited on the trip by Mr. Shahati in order to attend the Tenth Anniversary celebrations. He stayed as long as he did because he had hoped to meet Col. Qadhafi. He denied that there had been any discussion of aircraft or military equipment with the Libyans. Also, he stated that he met Frank Terpil while in Libya. (Terpil is an alleged arms trafficker and presently a fugitive.) In a telephone conversation with Mr. Lisker

on March 20, 1980, Mr. Carter denied having met Mr. Terpil at any time).

At the time of this interview, Mr. Lisker had no information indicating that Billy Carter had received any substantial monies from the Libyans. Lisker, however, began to receive pressure from his superiors within the Criminal Division to resolve the matter of Carter's need to register under FARA and to make a recommendation one way or another. According to Lisker's understanding, his superiors had become concerned that his investigation had remained open for a substantial period of time (over a year) and that no concrete results had been obtained. Unfavorable publicity regarding Billy Carter's activities was appearing in the press, and Mr. Lisker was led to believe that others in the Criminal Division felt that the fairest procedure to all parties would be to achieve a speedy resolution of the investigation. Mr. Lisker emphasized that he was not pressured as to what conclusion should be reached, but simply that some conclusion should be reached. [

]The Criminal Division was aware of little other than Billy Carter's two well-publicized trips to Libya, and his hosting the Libyan delegation in Georgia in January, 1979.

On February 4, 1980, Mr. Lisker requested that an FBI Agent interview Phillip Wise regarding his contacts with Billy Carter

during the period October, 1978 through January, 1979. The purpose of the interview was to verify the accuracy of Mr. Carter's statement that he was upset with a Jack Anderson article and sought a State Department briefing regarding Libyan aircraft. As a result of a misunderstanding between Lisker and the FBI, Wise was asked to check his telephone logs for calls from Billy Carter only for the months of August and September, 1979, and, although Wise's logs did show a call from Randy Coleman during the period, Wise did not mention that fact, but only informed the FBI agent that no calls from Billy Carter were noted during the two months which were the subject of the FBI request. Mr. Wise told the agent that he had no recollection of any telephone conversations with Billy Carter during this time frame. It should be noted, however, that attorneys from this Office questioned Wise on his failure to advise the agent about his log's record of the Coleman call. He stated that he had not asked his secretary to look for such a call during the relevant time period. Mr. Lisker told us that when he was provided information from the FBI regarding the Wise contact, he was "upset" because of the "foul-up" as to the period for which the logs were to be examined, and requested that Wise be reinterviewed regarding the full time frame.

Also during this period (the first quarter of 1980), Mr. Lisker was still attempting to review the files of the Commerce Department for any indication of pressure applied by Billy Carter to aid the

Libyans in their effort to obtain 727 aircraft. This subject had been the source of much frustration to Lisker, who for months had been attempting to gain access to Commerce Department files.

Several days prior to March 21, 1980, a meeting, attended by Acting Deputy Assistant Attorney General Philip White, Internal Security Section Chief John Martin, and Joel Lisker, was held in John Martin's office. Mr. Lisker told White that he (Lisker) had failed to establish a case against Billy Carter and that, pending the outcome of a reinterview of Phil Wise and access to the Commerce Department files, the matter could most likely be closed. In fact, according to Lisker, it was the unanimous opinion of all present that the matter was nearly ready to be closed. After the meeting, Lisker prepared a memorandum for the signature of White to Assistant Attorney General Philip Heymann, dated March 21, 1980, stating the conclusions reached during the course of the meeting in John Martin's office.

Unknown to Lisker, Billy Carter's efforts to obtain his loan and oil allocation increases from the Libyans had intensified significantly during this time period. Billy Carter and Randy Coleman had several personal and telephonic contacts with Dr. Houderi at the Libyan Embassy during February and early March in order to press these issues. In addition, they placed numerous telephone calls to the Foreign Liaison Office in Tripoli to contact Shahati directly. The Carter group was concerned

about its inability to negotiate directly with the new oil minister, who had been appointed in January, 1980.

In February, 1980, Billy Carter made use of his rather curious relationship with Bakersfield, California farmer George Belluomini. Mr. Belluomini told us that he first met Billy Carter several years ago when Belluomini's daughter hired Mr. Carter to make an appearance in Bakersfield on behalf of a women's softball team which she owned. Mr. Belluomini has visited Mr. Carter in Plains, Georgia on three separate occasions--two of which were the result of invitations to attend marriage ceremonies of Mr. Carter's daughters. Several hundred people were invited to attend each wedding. The third Plains visit by Mr. Belluomini occurred shortly prior to Randy Coleman's March, 1980 trip to Libya. Accompanying Mr. Belluomini was Ronald Sprague, his employee, financial advisor, and former son-in-law.

According to both Mr. Carter and Mr. Coleman, Billy Carter asked Mr. Sprague, with the concurrence of Mr. Belluomini, to accompany Mr. Coleman to Libya in March, 1980, in order to assist Mr. Coleman in handling the negotiations regarding the loan and the oil deal. Mr. Carter stated that he wanted Mr. Sprague to assist Mr. Coleman because Sprague acted as a financial advisor to Mr. Belluomini and would have a certain expertise in arranging the loan. Moreover, Billy Carter stated that he felt that Sprague would know "a little bit about oil, living in Bakersfield,

California, which is an oil area." Mr. Belluomini told us that he paid Mr. Sprague's expenses for the trip, amounting to between \$5,000 and \$6,000.

In March, 1980, Messrs. Coleman and Sprague traveled to Tripoli and reached an agreement with the Libyans regarding the terms of the loan. According to Sprague and Coleman, after the loan terms had been agreed upon, Sprague broke a tooth and returned to the United States alone. Coleman remained approximately one week longer--returning in early April, 1980. Regarding the loan, Sprague stated that he negotiated a two year "grace period," during which interest only was to be paid, with principal and interest to be paid during the next three years. Billy Carter was to give a first mortgage on his home and service station and outstanding encumbrances were to be satisfied from the proceeds of the loan. Messrs. Carter, Coleman, and Sprague told us that, although the loan was supposed to be extended by a New York bank, these negotiations were held in Tripoli with a Libyan banker. The Libyans were to designate the New York bank.

With respect to the oil dealings, Mr. Coleman stated that he met with Mr. Shahati daily during the time Shahati was in Tripoli (he was absent for a 10 day period, which was part of the reason for the extended duration of Mr. Coleman's stay). Shahati told Coleman that he was speaking with the new oil minister on behalf of Mr. Carter and that confirmation was needed from Charter Oil

that Mr. Carter did in fact represent the Company and that the Company would indeed accept the increased allocation. Charter provided Coleman with a telex to that effect. He in turn presented it to the Libyans.

Finally, in early April, 1980, Mr. Shahati met with Mr. Coleman and told Coleman that the oil minister had told Shahati that Charter would get its increase--probably beginning in June, 1980. In addition, Shahati said that the loan had been approved. Coleman stated that Mr. Carter needed capital immediately. Shahati responded that Coleman should return to the United States, wait one week, and then call Dr. Houderi. Coleman was told that a "sizeable amount of the loan" would be available at that time. Coleman returned to the United States and, following Shahati's instructions, visited Dr. Houderi in Washington a week later. He was at that time presented with a check for \$200,000, dated April 7, 1980, and drawn on the Libyan Embassy account at the Riggs National Bank, Washington, D. C. Mr. Coleman signed a receipt for the check, signed no documents relating to the loan, and was told that all further dealings regarding the loan should proceed through a Mr. Jamal in Libya, Shahati's deputy. Coleman delivered the check to Mr. Carter in Plains. On April 15, 1980, Mr. Carter personally opened a new account at the People's Bank of La Grange with the check. La Grange, Georgia is approximately 80 miles from Mr. Carter's home, and Mr. Carter stated that he chose that bank

because he knew its president, Tommy Sheffield, and felt that its distance from his home would make it unlikely that any townspeople would become aware of his business. According to Mr. Carter and others, both this \$200,000 "advance", as well as the \$20,000 received in December, 1979, were to be repaid from the proceeds of a \$500,000 loan to be worked out by a United States bank; which loan was to be guaranteed by the Libyan Government. Mr. Carter was emphatic in his testimony before investigators of this Office that other than the 200 dinars received during his 1978 Libyan trip and the \$200,000 and \$20,000 "loans," he had received no other monies, directly or indirectly, from the Libyan government. (As noted above, he has also acknowledged receipt of other relatively small gifts by himself and his family, which have been listed on his FARA Registration Statement).

After depositing the \$200,000 check, Billy Carter and Randy Coleman continued their discussions with Jamal and Shahati but were never able to consummate the loan or the oil deal. Curiously, they continued to press Ronald Sprague to contact the Libyan banker in Tripoli (a Mr. Layas) in order to finalize the loan, while deliberately keeping from Sprague the fact that the Libyan Embassy had already advanced a total of \$220,000 to Mr. Carter. Mr. Coleman told us that he was informed by the Foreign Liaison Office in early June, 1980 that, because of the recent expulsion of Libyan diplomats from the United States, the oil deal could not go through at that time.

The Criminal Division's first inkling that Billy Carter was engaging in business dealings with the Libyans came on April 25, 1980. On that date, FBI Agent Clay Blackman advised Lisker that

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] Lisker stated that he then felt that this information was not reliable.

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Regarding Admiral Turner's receipt of the intelligence report concerning Billy Carter, he admits taking the report and providing it to Dr. Brzezinski in order that it could be brought to the personal attention of the President. On March 31, 1980, Admiral Turner delivered the report to Dr. Brzezinski, having first refused the identities to other "intelligence officers" who desired to be apprised of those identities. Admiral Turner stated that he determined not to furnish the report to other intelligence officers unless further information was obtained which definitely indicated that a counterintelligence operation, under the jurisdiction of the FBI, came to his attention. Such information would normally be provided to the FBI. Admiral Turner stated that he did not seek to obtain other available information regarding Billy Carter's associations because he did not believe such information to be necessary. Curiously, however, he stated that he felt that the President should have the information because he might not otherwise know that his brother could be under the influence of a foreign government whose leaders frequently espoused views at odds with the policies of the United States.

One of the first steps which Dr. Brzezinski took after learning this information was to call Billy Carter. Although Dr. Brzezinski's White House logs indicate that he meets with the President almost daily when the President is in Washington, his call to Billy Carter was made without prior consultation with the

President. According to Dr. Brzezinski, he telephoned Billy Carter and told him that he had recently seen some information suggesting that Billy Carter was seeking an increased oil allocation from Libya for a U.S. oil company and that this could be exploited politically by the Libyans and could create considerable embarrassment to this Country and to the President personally. According to both Dr. Brzezinski and Billy Carter, Dr. Brzezinski never said that his information came from an intelligence source, although Billy Carter stated that he assumed as much given the sources of information available to Dr. Brzezinski. Mr. Carter stated that this telephone conversation was relatively short, perhaps as brief as two minutes, and during which Mr. Carter told Dr. Brzezinski in no uncertain terms that Mr. Carter believed that his oil dealings with the Libyans were none of Dr. Brzezinski's business. It was the day following this telephone conversation with Billy Carter, probably on April 2, 1980, that Dr. Brzezinski showed the intelligence document to President Carter and told the President of his telephone call to Billy Carter.

The disparity in the perception and appreciation of intelligence product use and dissemination evidenced by the actions of Admiral Turner and Dr. Brzezinski on the one hand, and Attorney General Civiletti on the other, is striking. While Dr. Brzezinski had felt no constraints in discussing the information, albeit in dissembled form, with Billy Carter, who could have inadvertently

or even deliberately revealed the details of his conversation to any of several Libyan officials, the Attorney General, upon his receipt of the sensitive information, struggled for several days with the question of which subordinates, all with the highest security clearances, could be entrusted with the same character of information so casually used by Dr. Brzezinski. Ultimately, the Attorney General decided that the information could not safely be disclosed to anyone within the Department of Justice and that the most that could safely be undertaken was to tell Assistant Attorney General Heymann not to close the FARA investigation of Billy Carter because sensitive intelligence information would be received. The Attorney General has explained that his decision was based in part on the belief that if Billy Carter in fact received substantial monies from the Libyans, that fact would "kick up dust" which would inevitably be detected by other, less sensitive means. The Attorney General explained that this eventually occurred. According to the Attorney General, from the time he told Philip Heymann not to close the investigation, until the end of May, 1980, he recalls having had no further contact with the case. As for Mr. Heymann, he told us that he did not discuss the matter of his conversation with the Attorney General with his subordinates other than perhaps his Special Assistant Stephanie Smith. Because of information received by Lisker from FBI Agent Blackman on April 25, 1980, he promptly proceeded to

pursue new leads. On May 12, 1980, Lisker, Martin, and Deputy Assistant Attorney General Mark Richard met to discuss these leads and they decided to ask the FBI to reinterview its source in order to obtain further information. On or about May 22, 1980, Lisker briefed Heymann about this information.

Prior to May 29, 1980, Public Affairs Officer Dean St. Dennis was working on a briefing book to prepare the Attorney General for a press conference scheduled for that date. St. Dennis was aware that several press inquiries had been received in the Office of Public Affairs regarding the status of the Billy Carter investigation. He informed the Attorney General of the likelihood of receiving questions on that subject during his press conference. Precisely such a question was drafted and included in the Attorney General's briefing book. The proposed answer was that the investigation was continuing.

On May 29, 1980, the Attorney General telephoned Mr. Heymann and, according to Mr. Heymann, stated: "I am about to go to a press conference and they are going to ask me what is the status of the Billy Carter matter. What should I say?" Heymann suggested that the Attorney General should tell the reporters to ask Heymann, and Heymann went on to tell Mr. Civiletti: "If you feel like it, Ben, it is alright with me if you go on and say it seems to you it has taken too long." As a matter of fact, the question was asked at the press conference, and the Attorney General responded along the lines suggested by Mr. Heymann.

According to Mr. Heymann, on the following day, either he or Stephanie Smith called Joel Lisker. Lisker was asked if he had heard the Attorney General's statement at his press conference. In the call, Lisker was asked to "wrap it up," one way or the other, within two weeks. Lisker called Special Agent Blackman and asked if the remaining issues could be resolved within the requested time frame. At that point, Blackman told Lisker that it would not be possible since[

] On two separate instances, Lisker advised Mr. Heymann of the additional information and Heymann told Lisker that he would tell the press that the investigation might take as much as two months longer. At this time, Lisker, according to his statement to us, began to view Mr. Carter's conduct as potentially criminal. Philip Heymann stated that "the matter was beginning to look like a serious criminal matter to (him)." On May 30, 1980, Mr. Heymann advised Deputy Attorney General Renfrew of the new information, and Mr. Renfrew advised the Attorney General.

Upon learning of the additional information from Mr. Renfrew, the Attorney General told Mr. Heymann of the earlier intelligence information indicating possible payments to Billy Carter, and the May 30, 1980 information, while different, generally confirmed that

payments to Billy Carter might have occurred. Mr. Civiletti immediately telephoned the source of the original information and asked that the information he had reviewed on April 10, 1980 be provided to him in written form. The source complied with this request. Mr. Civiletti has stated that since there were now multiple sources for the same general information, the risk of compromise to any particular intelligence source was significantly decreased. It was his judgment that the information which he had first seen on April 10, 1980 could now safely be provided to the Criminal Division in the written form he had requested.

On June 4, 1980, the information which had been provided pursuant to his May 30, 1980 request was reviewed by Mr. Civiletti and Assistant Attorney General Heymann. Civiletti asked Heymann who else in the Criminal Division should have access to the document. Heymann responded that Mark Richard should review the materials. Mr. Heymann added that if Mr. Richard felt that John Martin and Joel Lisker should see the information, he would authorize that. The Attorney General agreed to this procedure, and ultimately, all of these individuals reviewed the information shortly after June 4, 1980.

Meanwhile, Special Agent Blackman was continuing his efforts to reinterview Mr. Wise at the White House concerning contacts with Billy Carter during late 1978, and January, 1979. Although the agent had called Wise's office on as many as four occasions, _

Mr. Wise had never returned any of the calls. Finally, Mr. Lisker, who on May 30, 1980 had spoken to Mr. Heymann about this problem and received authorization, on June 2, 1980, called Mr. Wise's office and left a message that if Wise would not talk to the agent, Wise could expect to talk to a grand jury. A representative of the White House Counsel's Office called Special Agent Blackman on that same day, and an interview of Wise was arranged for June 4, 1980. At the time of the interview, Wise told Blackman that he had received no calls from Billy Carter regarding aircraft during the period covered by the agent's inquiry. Wise stated to us that he has no recollection of being informed of possible grand jury action should the agent's calls continue to be ignored.

On June 9, 1980, a meeting, attended by Mark Richard, John Martin, and Joel Lisker began at approximately 10:00 a.m. to discuss the investigation. Since it became obvious that Mr. Heymann's authorization would be required before any further action could be taken, at approximately 10:45 a.m. the meeting was moved from the office of Mark Richard to that of Mr. Heymann. The purpose of these meetings was to discuss whether the investigation should proceed civilly or criminally, what steps should be taken next, and what use, if any, could be made of the available intelligence information. According to the meeting's participants, Mark Richard and John Martin favored treating the matter criminally, and commencing a grand jury investigation. Mr. Lisker, consistent with his

prior handling of FARA violations, favored a civil approach. The meeting concluded with no firm decisions having been made.

Upon his return to his office, Mr. Lisker was informed that he had received a telephone call from Mr. Carter's Georgia attorney, John Parks. Parks had told Mr. Lisker's secretary that Billy Carter was with him at the time of the call. Lisker told us that it struck him as "a little strange" that Parks had called him on that date, since his last conversation with Parks had occurred over a year earlier, on March 22, 1979. Before Mr. Lisker had a chance to return Parks' call, Parks called again and told Lisker that Billy Carter intended to engage in certain business ventures and was trying to determine where he stood with the Justice Department regarding its FARA investigation of him. Lisker was reluctant to discuss the investigation with Mr. Parks, since he was not certain that he still represented Mr. Carter. Lisker told Parks to have Mr. Carter call him.

The next day, June 10, 1980, Billy Carter called Mr. Lisker and told him that Parks had indicated that Lisker was interested in speaking to him (Carter). Mr. Carter advised that he would be in Washington on June 11, 1980 for a meeting with Dr. Brzezinski, and Mr. Lisker asked Mr. Carter if he could come by for an interview. An appointment was arranged for 2:00 p.m. in Mr. Lisker's office. Because Mr. Lisker hoped to catch Billy Carter in the act of receiving a payment from Libyan Embassy personnel, he requested and

received approval from Mr. Heymann for FBI surveillance of Billy Carter while he was in Washington. The surveillance began when Mr. Carter arrived at National Airport and ended with his arrival at the White House after meeting with Mr. Lisker. The surveillance was not productive.

The interview of Billy Carter on June 11, 1980, began at 2:10 p.m. in Mr. Lisker's office. Mark Richard was also present. After Mr. Carter was advised of his constitutional rights, Mr. Lisker refreshed Mr. Carter's recollection of the substance of his January 16, 1980 interview in Georgia. Mr. Lisker reminded Mr. Carter that he had said that with the exception of the two all-expense paid trips to Libya, four gold bracelets, a silver-mounted saddle, a silver serving tray and a scimitar, he had received nothing of value from the Libyan Government. He was also reminded that he had previously stated that he had no formal or informal relationship with the Libyan Government and that the Libyans regarded him simply as a friend. He was then asked if these statements were still accurate, and he replied that they were.

At this point, Lisker and Richard told Mr. Carter that they had information from a variety of sources indicating that certain of his statements were not correct, and that he had received compensation from the Libyans in the form of cash payments. Carter then admitted receiving \$200,000 from the Libyans earlier in the year and stated that this was a portion of a loan from the Libyans.

He stated that the loan was fully and formally collateralized, although, at his request, the note and collateral were not recorded.

Mr. Carter also advised Lisker and Richard that he had received a check from the Libyans in March of 1980 in the amount of \$20,000, which was partial reimbursement for his expenses in hosting the reception for the Libyan delegation in January of 1979. He said that he had receipts to demonstrate that his personal out-of-pocket expenses in connection with that visit were approximately \$40,000. When reminded that in January, 1980, he had told Lisker that his expenses relating to the visit were only \$6,000 or \$7,000, he stated that those lower figures were not correct.

When asked if he had any negotiations pending with the Libyans, his response was that he represented Charter Oil Company. According to Mr. Carter, Charter Oil had approached him for assistance in obtaining an increase in Charter's allocation of Libyan crude oil. He stated that he felt that Charter had contacted him because of his highly publicized association with the Libyans. Mr. Carter then recounted the details of his spring conversation with Dr. Brzezinski during which Brzezinski attempted to dissuade Carter from engaging in oil dealings with the Libyans.

Mr. Carter left the meeting at about 3:00 p.m. for his appointment at the White House with Dr. Brzezinski. It was agreed that the interview would continue after Mr. Carter had completed his business at the White House. Mr. Carter left and the FBI surveillance

verified that he did indeed go to the White House. According to Billy Carter, his purpose in speaking with Dr. Brzezinski was to ascertain whether it would be permissible for him to tell Lisker of his participation in the November, 1979 effort to obtain the release of the American hostages in Iran. Mr. Carter told Dr. Brzezinski of the Justice Department's investigation of him, and Dr. Brzezinski suggested that White House Counsel Lloyd Cutler should participate in the discussions. Mr. Cutler went to Dr. Brzezinski's office and upon learning that Billy Carter had appeared at Lisker's office without the benefit of counsel, suggested that Mr. Carter retain an attorney. At Carter's request, Mr. Cutler suggested several Washington attorneys, and Mr. Carter chose Henry Ruth and Steven Pollack, primarily because they had successfully represented Hamilton Jordan in a cocaine investigation. Mr. Carter left the White House, immediately went to the law offices of Shea and Gardner, and consulted with attorneys Henry Ruth and Steven Pollack. Late that afternoon, Pollack telephoned Lisker and advised him that Pollack and Ruth now represented Mr. Carter and that he would not be returning to Lisker's office. A meeting was scheduled for the next morning with Criminal Division attorneys and Mr. Carter's lawyers.

Mr. Carter has been closely questioned about his reasons for initiating Parks' contact with Lisker on June 9, 1980, and his own appearance at Lisker's office on June 11, 1980. Mr. Carter stated

that he had read a newspaper account shortly before June 9, 1980, which quoted the Attorney General as stating that the investigation of him was still ongoing. (Presumably any such news account would have been the result of the Attorney General's May 29, 1980 press conference.) In addition, shortly before June 9, 1980, Carter had been in Nashville, Tennessee and had met with Sam Lovullo, the producer of the Hee Haw television show. Carter told us that he saw "Sam" (he could not recall Lovullo's last name), who asked him if he would be interested in appearing again on the Hee Haw show. According to Mr. Carter, he told Lovullo that he would appear on the show. He added, however, that since he was under Justice Department investigation, he would not want taping of the show to begin and "then have some kind of a big stink coming ...". He testified to us that he "wanted to try to get it (the investigation) settled before he gave him a final answer whether he would do the show or not." Mr. Carter denied during our interview that he had been told by any Government official prior to June 11, 1980 that the Government was aware of his receipt of monies from Libyan sources. Phillip Wise denied having any recollection of advising Billy Carter that Joel Lisker had left a message indicating the possible grand jury action.

Given the coincidence of Mr. Lisker's "grand jury message" to Phillip Wise on June 1, 1980, and Mr. Parks' June 9, 1980 telephone call on behalf of Mr. Carter to Mr. Lisker after a year and a half

of silence by Mr. Parks, this Office attempted to verify Mr. Carter's professed motivation in having Mr. Lisker contacted on June 9, 1980.

Sam Lovullo contradicts Billy Carter's sworn testimony to this Office. Mr. Lovullo has no recollection of being informed by Mr. Carter that he (Mr. Carter) was under investigation by the Department of Justice and that he (Mr. Carter) would have to clear up the matter before appearing on the show. Furthermore, contrary to Mr. Carter's statement, Lovullo recalls being approached by Mr. Carter, who was seeking to appear on Hee Haw. We also note that Mr. Carter's agent, Tandy Rice, of Nashville, Tennessee, met with Mr. Carter in Nashville, in May, 1980, around the time of Mr. Carter's meeting with Sam Lovullo. Rice recalls no reference by Mr. Carter to any investigation of him (Carter).

Following Mr. Carter's interview on June 11, 1980, Messrs. Lisker and Richard determined that it would be advisable immediately to brief the Deputy Attorney General as to the results of the interview. Assistant Attorney General Heymann, normally Richard's immediate superior, was not in town on that date. Accordingly, at approximately 3:30 p.m., Judge Renfrew was briefed in his office for about five minutes, at which time Lisker informed the Deputy Attorney General that Billy Carter had admitted receiving payments from the Libyans, had admitted the oil dealings, and had raised the possibility in Lisker and Richard's minds that Dr. Brzezinski had

committed a criminal violation in disclosing sensitive intelligence information to Billy Carter. In addition, Lisker and Richard told Judge Renfrew that Carter was then on his way to the White House, and in view of his previous statements, he might complain to the President of "rough handling" during the course of the just concluded interview. Judge Renfrew decided that Mr. Civiletti should be immediately briefed on this new development.

Shortly after 3:30 p.m., a briefing session lasting approximately 15 minutes was convened in the Attorney General's office. In attendance were Lisker, Richard, Judge Renfrew, and the Attorney General. Mr. Civiletti, upon being told of the surveillance of Mr. Carter by the FBI, expressed surprise, and a discussion ensued about the basis for the surveillance. According to Lisker and Richard, the Attorney General finally appeared to be satisfied that the surveillance was appropriate. With respect to a possible national security violation by Dr. Brzezinski in disclosing to Billy Carter that he was aware of Billy Carter's oil dealings, Messrs. Lisker and Richard told us that the Attorney General appeared to discount their views as to the seriousness of Dr. Brzezinski's actions, explaining that Dr. Brzezinski probably had other sources for the information. A general discussion ensued as to the future course of the investigation; whether it would proceed criminally or civilly; and whether the grand jury would be utilized.

At the conclusion of the session, the Attorney General made a comment, unrecalled by Judge Renfrew, which appears to have been

the source of much consternation and confusion for Lisker and Martin. According to Mr. Lisker's recollection, the Attorney General said words to the following effect: "Don't do anything for ten days." Mr. Richard stated that he did not recall the Attorney General's exact words, but that he did say something to the effect that nothing should be done for a short period of time. Lisker and Richard disagree, further, as to their interpretation of the Attorney General's intention in making such a statement. Lisker states that he took it as an order by Mr. Civiletti not to do anything for ten days. Richard interpreted the Attorney General's remark to mean that the investigation should not be rushed to a hasty decision, but Lisker should think about it for a few days before deciding how next to proceed in the investigation. During the course of his interview, the Attorney General did not specifically recall making this statement, but said that he could have, and that it should be interpreted in the manner in which Richard interpreted the statement. Lisker recalls that after he and Richard left the Attorney General's office, he asked Richard in effect: What did that mean? Richard directed Lisker to proceed as usual, and not to take the Attorney General's statement as a literal direction.

According to the Attorney General's testimony to this Office, earlier on June 11, 1980, he had telephoned Mr. Wise in order to seek an appointment with the President regarding judicial nominations. Normally the Attorney General does not immediately receive

an appointment; rather, Wise's secretary communicates within a day or so with Mr. Civiletti's secretary, who then notifies Mr. Civiletti of the exact date and time of the appointment. Mr. Civiletti has stated that it generally takes about a week to ten days from the time of request to the time of the actual appointment with the President. Mr. Civiletti has further stated that although he has no specific recollection of his June 11, 1980 telephone call to Mr. Wise, which his telephone logs reflect occurred at 11:05 a.m., based upon his knowledge of normal procedures, he doubted that he had known at the time of his afternoon briefing by Lisker, Richard, and Judge Renfrew that he would be meeting with the President on June 17, 1980. He guessed that he was probably given the June 17 appointment date on June 12 or 13, 1980. The Attorney General indicated that he had not determined on June 11, 1980 that he would in fact discuss the Billy Carter investigation with the President. It should be pointed out that at the time of our interview, the Attorney General, pursuant to our request, had not yet received a briefing from a team, headed by Antitrust Division Assistant Attorney General Sanford Litvack, which was charged with the responsibility of refreshing the Attorney General's recollection as to the Department's handling of the Billy Carter investigation in preparation for his Senate testimony. This Office felt that it was imperative to determine what the Attorney General's personal recollection of the events was, before subsequent briefings could cause it to become unclear as to what the Attorney

General personally recalled as compared to what he knew as a result of being furnished information by others.

Two curious events occurred during this period. First, Assistant Attorney General Heymann recalls being asked by Mr. Civiletti in early June, 1980: "I don't think I ought to tell the President anything about the Billy Carter investigation, do you?" Heymann responded: "No, I don't think you should." Mr. Heymann was unable to date this conversation, except to say that it must have occurred during early June 1980. The second curious event is that on June 16, 1980, Mr. Civiletti spoke to former Attorney General Griffin Bell and asked Mr. Bell how he could go about having a private conversation with the President. Mr. Bell responded that he would ask other participants in a meeting with the President at its conclusion to excuse themselves so that he could speak privately with the President. We interviewed Judge Bell and his account of the telephone conversation corroborated the Attorney General's.

On June 17, 1980, the Attorney General met with the President and White House Counsel Lloyd Cutler regarding judicial appointments. At the conclusion of that discussion, Mr. Civiletti asked if he could speak alone with the President. Mr. Cutler departed, and Mr. Civiletti discussed a number of topics with the President--one of which was Billy Carter. Mr. Civiletti stated that he told the President that he could not discuss the Department's investigation of Billy Carter with the President, and that, in his view, this matter had to be treated differently from others in which the Attorney General had engaged in discussions with the President.

Nevertheless, Mr. Civiletti told the President that he thought that Billy Carter was "foolish and should have registered long ago." The President then asked what would likely happen were Billy Carter to register, and the Attorney General replied that were Billy Carter to register and tell the truth, then it was the Attorney General's understanding that it was the Department's general practice not to prosecute such cases. The Attorney General stated that his conversation with the President was based upon his knowledge of the Act, its purpose, and general Department practice. He said that he did not enter into any "deal" or "commitment" with the President not to prosecute Billy Carter. The Attorney General never informed anyone in the Department of Justice of this conversation.

Meanwhile, Criminal Division personnel continued to pursue the case. Lisker and other Justice Department attorneys had several contacts with Mr. Carter's attorneys who stated that they were having trouble convincing Mr. Carter to register because their client simply did not believe that he was a foreign agent. Mr. Carter's attorneys kept the White House Counsel apprised of their client's situation. The White House Counsel decided not to have any contact with the Justice Department regarding the Billy Carter investigation, since any such contact could easily be misconstrued. As a result of the recommendation of Lloyd Cutler, who was acting on information furnished by Billy Carter's attorneys, President Carter personally telephoned his brother on June 28, 1980 and July 1, 1980,

to urge him to cooperate with his lawyers and to file a registration statement. On July 2, 1980, attorney Steven Pollack called Mr. Cutler and told him that Billy Carter had finally agreed to authorize his attorneys to negotiate with the Justice Department regarding his registration under FARA.

On June 27, 1980, a meeting had been held to decide upon a disposition of the Billy Carter investigation. This meeting was attended by Joel Lisker, John Martin, Mark Richard, Deputy Assistant Attorney General Jack Keeney, Stephanie Smith, and Philip Heymann. On July 3, 1980, another meeting attended by the same participants with the exception of John Martin met again to discuss the case. All of the various options available to the Criminal Division were considered, and, ultimately, all of the participants agreed that a civil disposition of the case should be taken. According to some of the participants, the initiation of a grand jury investigation would necessitate an additional six to eighteen months to conclude the investigation; during that time grand jury secrecy requirements would preclude public disclosure of the extent of Billy Carter's dealings with the Libyans. Criminal Division personnel, who view the FARA statute as a "disclosure statute," accordingly felt that such a result would be contrary to the intent of the statute. Moreover, there was the matter of Billy Carter's own refusal to consider himself to be a foreign agent and the difficulty in proving criminal intent because he was an alcoholic during significant portions of

the relevant time frame. Finally, it was recognized that the Criminal Division could still pursue criminally any misstatements made by Mr. Carter on his registration statement. For these reasons, and others, the Criminal Division made a decision to proceed civilly, to obtain an injunction, and to accept registration without initiating criminal prosecution. After much negotiation by the Criminal Division with Billy Carter's attorneys, Mr. Carter registered as a foreign agent on July 14, 1980--the day the Justice Department filed its civil suit against Mr. Carter.

On the day of the filing, Lloyd Cutler was in the process of providing the White House press office with information regarding the President's knowledge of Billy Carter's activities. The White House was being bombarded with questions regarding those activities, and numerous White House staffers were engaged in frantic activity to attempt to provide information to the public as soon as possible. On July 14, 1980, Lloyd Cutler had a telephone conversation with the Attorney General while the latter was in Monterey, California. Mr. Cutler obliquely told the Attorney General that Billy Carter had filed a FARA registration statement and that the White House proposed to release a statement that there had been no contact between the White House and the Justice Department regarding the Billy Carter investigation. The Attorney General agreed that the statement was correct. On July 21, 1980, Mr. Cutler again contacted Mr. Civiletti and read a statement from a "White Paper" to be

released by the White House on the following day in which it was stated that there had been no White House-Justice Department contact "in either direction" regarding the case. Mr. Civiletti agreed that this statement was also accurate. On July 22, 1980, the "White Paper" was released.

On July 24, 1980, the Attorney General was scheduled to appear at one of his periodic press conferences. As usual, the Public Affairs Office prepared a "briefing book" to ready the Attorney General for his press conference. One section of that book contained five questions relating to the Billy Carter case. One of the questions was: "Did you, or anyone else in the Justice Department, discuss the Billy Carter case with any White House official, especially, Lloyd Cutler?" The proposed answer was: "No." This answer was developed as follows. Departmental spokesman John Russell was responsible for preparing this section of the briefing book. He knew that the Public Affairs Office had received several questions regarding contacts between the White House and the Justice Department on the Billy Carter matter. Realizing that the only person likely to be aware of such contacts would be the Attorney General, Mr. Russell asked Mr. Civiletti if there had been any such "contacts." The Attorney General's response was that there had not. We asked Mr. Russell if he recalled specifically that the word "contacts" was used and, although he stated that he was not positive, he believed that this was the word used. At his

press conference on July 24, 1980, the Attorney General was asked by reporter Joe Volz of the New York Daily News: "Did you or your colleagues ... ever talk to the President or any other White House aides about the Billy Carter case?" The Attorney General's answer was: "No." In response to the question "Why not?", the Attorney General stated: "Well, we don't make a practice of discussing investigations with the White House" Mr. Civiletti also denied having had any "discussions" with Lloyd Cutler about the "Carter investigation."

Mr. Civiletti stated that after his news conference he became concerned about his answer to the question, since he had made a fine distinction between a "substantive discussion about the conduct of an investigation" and a brief conversation with the President. Because of his concern, he directed that a transcript of the press conference be furnished to him as soon as it was available.

That same evening, he happened to be at an Embassy function which was also attended by Lloyd Cutler. The two had a private conversation which lasted about one minute, during which Mr. Cutler told the Attorney General that he had just that day learned that the President had dictated a note on June 17, 1980, which recorded the details of the Attorney General's conversation with the President on that date about the Billy Carter case. An extract of the President's personal note relating to this conversation released by the White House reads as follows:

"He (Attorney General Civiletti) told me that Billy ought to acknowledge if he were an agent of Iraq (sic). There would be no punishment for him. But that Billy was unwilling to do so because he claims he was not an agent of that country."

Mr. Civiletti told us that "(Mr. Cutler) said something to the effect that either we ought to amend the White statement or elaborate on the White statement." Mr. Civiletti replied: "That is up to you, fine."

The following day, July 25, 1980, Mr. Civiletti had a series of meetings to discuss what he should do next. Office of Public Affairs Director Robert Smith was consulted; Victor Kramer, Counsel to the Attorney General, was consulted; the Deputy Attorney General was consulted; Mr. Heymann was consulted. The consensus view was that the Attorney General should correct his statement as soon as possible.

At his previously scheduled press conference on July 25, 1980, the Attorney General corrected his statement of the previous day by claiming that he had interpreted the word "discussions" as being more substantial than the brief "exchange" which occurred on June 17, 1980. We note that there was no use of the word "discussions" in Mr. Volz's questions. The Attorney General has since stated on several occasions that he believes his answer to Mr. Volz's inquiry on July 24, 1980 to have been wrong.

On the afternoon of July 25, 1980, the Office of Professional Responsibility determined that, in view of the Attorney General's admission of his incorrect response on the previous day, which now

established that there had been an acknowledged contact between the Justice Department and the White House regarding an active Criminal Division investigation involving the President's brother, the Office must conduct a review of the handling of the investigation to determine whether any improper influence had been exerted. On that date, the Solicitor General was advised of the initiation of the Office's inquiry, and acknowledged his responsibility to receive the Office's report.

DISCUSSION

At this point, we are in a position to assess the results of the investigation to date and to plan the additional steps which will be necessary to conclude the investigation. These steps will be taken as a result of the tentative and final conclusions set forth below.

1. Attorney General Civiletti

This Office reviewed the Attorney General's actions in the following areas: his denial at a July 24, 1980 press conference that he had spoken to the President about the case; his discussing with the President the Billy Carter case on June 17, 1980; and, his handling of the intelligence information furnished to him in April.

Our analysis of the Attorney General's participation in the June 17 meeting (with the President) proceeded from our finding that, when he was asked on July 24, 1980, by reporter Joe Volz of the New York Daily News whether he had ever talked to the President

about the Billy Carter case, his answer was not the one he now admits would have been correct. We have considered Mr. Civiletti's explanation that he made a distinction between a "substantive discussion" of the investigation and a brief conversation, and we think that explanation is inadequate. The question he was asked was clear and unequivocal: "Did you ... ever talk to the President ... about the Billy Carter case?" It is difficult to understand how the question could have been misunderstood.³ "Discussion" was not a part of the question; it was not until Mr. Civiletti responded to the follow-up question--"Why not?"--that he injected the use of the word "discussing" into the answer. Furthermore, he had been prepared to expect such a question in advance. Lloyd Cutler had asked him a similar question on July 14 and on July 21; Department press officer John Russell had asked him about "contacts" with the White House prior to the press conference; his briefing book for the press conference contained a question about whether he had discussed the case with the White House. He was prepared to answer the question.

It is difficult to perceive how the Attorney General's distinction between a discussion and a conversation could constitute a credible explanation for the answer he gave. Moreover, it certainly does not even attempt to explain why he thought it necessary to take a restrictive view of the question in the first place. We are forced to conclude that the Attorney General's

answer was not the truth and that he knew he was dissembling as he was answering.

Several possible reasons can be advanced for the Attorney General's answering in the manner in which he did. First, he may have actually made the mental distinction he has spoken of and wanted to save the President and himself from public embarrassment since the White Paper had already been released. Second, he may have misconstrued Mr. Cutler's questions on two separate occasions as signals that the White House wanted him to deny any conversation with the President. Third, he may have been personally embarrassed at having initiated his conversation with the President on June 17 because he no longer considered it appropriate and, therefore, wanted to conceal it. We can make no final determination on this issue because we have not yet interviewed the President, the only other party to the conversation about which the Attorney General "misspoke." We have at our disposal only the President's public statement on the conversation. Until such time as we can go beyond the public record and probe the President's as yet untested account of the meeting, we must not rule out the possibility that the reason the Attorney General did not answer truthfully is other than one of those just postulated.

The Attorney General has stated that the reason he discussed the Billy Carter case with the President privately on June 17 was to ensure that the President understood that the reason he had not

previously discussed the investigation with him was because he (Civiletti) thought it a matter which could not properly be discussed. He has also stated that he feared, as had Messrs. Lisker and Richard earlier, that Billy Carter, after his June 11 interview, might have complained to Dr. Brzezinski or others in the White House about the inquiry. Mr. Civiletti wanted to prepare the President to respond to possible inquiries from his own staff members and thereby cause the President to instruct them that the answers to such inquiries should not be sought from the Justice Department.

This explanation for the Attorney General's June 17 private meeting with the President requires further analysis when that meeting is considered in the context of certain events which occurred prior to it, and when the Attorney General's public denial of any such meeting is also considered.

Earlier in the month of June, the Attorney General had considered speaking with the President about the Billy Carter case. He discussed the propriety of doing so with Philip Heymann and decided against it. On the morning of June 11, he called to arrange a meeting with the President to discuss several judicial nominations. He told us that such appointments are normally scheduled for a date a week to ten days from the date of his calls. On the afternoon of June 11, he was briefed on Billy Carter's admission that he had received over \$200,000 from the Libyan government and he told the investigators not to do anything for a week or ten days. Then,

on June 17, he met privately with the President and initiated a conversation about a topic which earlier in the month he had considered inappropriate for such a discussion.

Each of these individual events, analyzed separately, might be rationally and innocently explained. However, when considered seriatim along with Mr. Civiletti's July 24 denial that a conversation similar to that which took place on June 17 had occurred, we find that the Attorney General's explanation cannot be accepted at face value. Additional investigation will be conducted to resolve these issues.

Regarding the Attorney General's handling of the intelligence information he learned of in April, 1980, we are not confronted with difficulties similar to those just discussed. The Attorney General told us that he considered the information to be of the utmost sensitivity in two respects. He felt that he had to protect both the sources and methods used in obtaining the information and the information itself, lest a potential transfer of funds to Billy Carter be aborted. His stated concern that, regardless of the level of security clearances possessed by Department employees, highly classified information should not be disseminated to them unless they had a cogent, demonstrable need to know that information, is consistent with sound intelligence practice. The wider the dissemination of such information, the greater the risk of compromise. Had the intelligence information provided to the Attorney General in April pertained to a matter which had already

taken place, we would have found this matter more difficult to resolve. But it did not. Furthermore, after learning of the information, he took action to ensure that the Criminal Division investigation would not be prematurely closed. Finally, as soon as he learned of similar information developed through other sources, he immediately requested that the April information be forwarded to the Department. Upon its receipt, he made it immediately available to Criminal Division personnel.

There are no additional investigative steps to be taken on this aspect of the Attorney General's involvement in the Billy Carter case. All of the evidence we have gathered corroborates Mr. Civiletti's account of, and stated motives for, acting as he did.

While a different course of action might have been chosen, the Attorney General selected one of several permissible alternatives available to him. We believe that he acted reasonably and see no impropriety in his handling of this particular aspect of the case.

2. The Criminal Division

Certain aspects of the Criminal Division's handling of the investigation can be closed. We found no evidence that any Criminal Division employee acted with the slightest impropriety, with respect to the investigation itself. All of the evidence we have gathered, which includes a complete review of the Division's handling of twenty-one other FARA cases, corroborates the statements and explanations furnished to us by Criminal Division

personnel. Billy Carter was not afforded any special treatment or given any special consideration because he was the President's brother. The decision to pursue a civil disposition of the case was made on the basis of the evidence and was made in good faith.

We did, however, find impropriety in certain related matters. A veritable blizzard of newspaper articles about the Criminal Division's handling of the Billy Carter case began to appear after the Senate and this Office announced their respective investigations. With few exceptions, the articles contained information which came from Criminal Division files and personnel, and which explained and defended the Division's handling of the investigation. With few exceptions, the name of Joel Lisker appeared in the articles. When interviewed, Messrs. Heymann and Lisker readily admitted to us that Mr. Heymann had directed Mr. Lisker to talk to the press about the case. We think it was inappropriate for the Criminal Division to have defended its investigation as complete, thorough, and unbiased when those very questions were the subject of two pending investigations. Moreover, the Criminal Division's investigation was still an open investigation and it is Department practice and policy not to speak publicly about such cases.

3. The State Department

We have concluded that Billy Carter played no role in the decision of the State Department to allow the sale of two Boeing 727's to Libya. That decision was clearly based upon sound foreign and economic policy considerations.

With respect to State's reporting to the White House information about Billy Carter's activities in Libya on two occasions, such reporting is consistent with State's responsibility to keep the White House informed on matters which could have an impact on foreign affairs. Billy Carter's activities in Libya clearly fall into this category.

We cannot at this time reach a similar conclusion regarding State's decision to advise the White House about particular aspects of the Department's investigation of Billy Carter. Alan Roy called Thomas Beard in early September, 1979, and told him about Mr. Lisker's request for State Department documents relating to Billy Carter. Keeping the White House advised on foreign affairs matters is part of the State Department's mission; keeping the White House "current" on a criminal investigation, the subject of which is the President's brother, is not. The motive State Department officials had in informing Mr. Beard of Lisker's request for documents is not entirely clear. Morris Draper advised us that he thought information of this type could have affected this country's relations with Libya and should have been conveyed to the White House. He, therefore, considered the relaying of information pertaining to the Billy Carter investigation to the White House as serving a valid foreign policy purpose.

We intend to explore this "motive" further in the remainder of our investigation because certain factual matters have not yet been resolved. For example, Alan Roy told us that he simply advised

Beard that Lisker had requested State Department documents. He had no recollection of telling Beard which particular documents had been requested or furnished. Beard's testimony could have helped resolve this question, but he professes to recall little of his involvement in this matter. He told us that, with respect to Billy Carter's 1978 trip, he recalls little more than being told by Don Hester that Billy Carter was about to commence the trip⁵ and relaying this information to Susan Clough. He does recall receiving State Department cables in 1978, but does not recall to what use, if any, they were put. His only other relevant recollection as to this trip is that he was aware of a cable to the American Embassy in Tripoli advising that Billy Carter was enroute to Tripoli, and requesting that Mr. Carter be briefed on the sensitive status of U.S.-Libyan relations. With respect to the 1979 trip, Mr. Beard stated that his only recollection is of having had two telephone conversations with Alan Roy regarding the trip and he does not recall the substance of either. In view of the testimony of State Department officials, we find Mr. Beard's statements simply not credible.

Finally, we have been unable to complete one critical interview--that of William Eagleton, former charge in Tripoli during Billy Carter's visits, now stationed in Baghdad, Iraq. An interview had been scheduled for September 30, 1980, in Paris, but had to be cancelled because of the outbreak of war between Iran and Iraq. State has agreed to make him available for interview as soon as

possible. We wish to question Mr. Eagleton about the activities of Billy Carter and Randy Coleman in Libya in 1978 and 1979 and about Coleman's trip early this year. Mr. Eagleton may be able to tell us whether the subject of aircraft was discussed during those trips and, thereby, corroborate either Mario Leanza's claim that aircraft was discussed or Billy Carter's denial that there were such discussions. We also want to question him about State's instructions to him regarding Billy Carter while he was charge in Tripoli.

4. The White House

The White House portion of the first phase of this investigation has left us with more unanswered questions. Mr. Cutler, Dr. Brzezinski, and the NSC staff have been forthright and cooperative. We cannot make a similar statement about certain other important White House staff members. Mr. Beard has already been discussed. We find even more troubling the testimony of Appointments Secretary Phillip Wise. Wise, a close personal friend of both Billy Carter and Randy Coleman, claimed he had no recollection of any discussions with Carter or Coleman about Libya at any time prior to the end of July, 1980. He said that he did not recall being asked by Coleman or Carter to arrange for a briefing on Libya or on Libyan aircraft. (Based on the testimony of others, we know that he did so). Additionally, Billy Carter was a close enough friend to just "drop by" Wise's office whenever he was in Washington. Yet, despite all of Carter's activities and dealings with Libyans, despite all of the unfavorable media commentary that

Carter received as a result of his association with Libya during the entire period of Carter's two year relationship with that country, Wise could recall no conversations with Carter about Libya. Wise claimed he could not even recall receiving Lisker's message that, unless he (Wise) would return an FBI agent's calls, a grand jury subpoena could be expected. Such testimony is simply incredible. We intend to consider the use of all legitimate investigative techniques to resolve the questions raised by Mr. Wise's statements.

The phase of our investigation dealing with Dr. Brzezinski has not been concluded. Subsequent to his interview, his telephone and appointment logs were made available for review. On the basis of certain information contained in those logs, additional questions must be asked. For example, one of the subjects of our interest is a number of meetings between Dr. Brzezinski and CIA Director Turner in the former's office on several significant dates. We intend to question Dr. Brzezinski about the topics which were discussed at those meetings and about whether the President attended one of them. Dr. Brzezinski's logs are unclear as to whether the President stopped by Dr. Brzezinski's office while the meeting was taking place or whether the President telephoned him. The length of this contact is not recorded in the logs.

6. Billy Carter

Billy Carter's conduct with respect to his obligation to file a FARA registration statement was reprehensible. He repeatedly

ignored Justice Department requests for information. He withheld certain information and lied while under oath about other information. Moreover, many of his lies cannot be dismissed as the product of his alcoholism. Mr. Carter completed his alcoholic rehabilitation treatment program in April, 1979. On January, 1980, he lied to investigators and denied that he had received any payments from Libyans when, in fact, he had received \$20,000 two weeks before. After that interview, he received a \$200,000 payment. When interviewed in June, 1980, two months later, about payments from Libya, he again initially lied. In our opinion, it was only because Messrs. Lisker and Richard divulged to Mr. Carter that they were aware of his receipt of large payments from the Libyans, that he finally admitted that fact. However, even then, he did not tell the truth about the nature of those payments, which he had variously characterized as loans, reimbursements, and advances on loan proceeds. Furthermore, his sworn explanation as to why he initiated John Park's telephone call to Joel Lisker on June 9, 1980, has not been corroborated by the interviews of others; if anything, it has been contradicted.

We will continue to review Billy Carter's statements and take additional investigative steps to determine whether the misstatements contained therein rise to the level of prosecutable perjury.

1804

MEMO: 10/31/80

TO: RSW

FM: MM

RE: SHAHEEN REPORT

D-44
page 111

A friend in Thurmond's office called today to warn me that he believes we, the Reagan campaign, are being set up on this Shaheen report. He said Thurmond has not even got a copy because he does not want to be accused of leaking secret information. (Note that Dole and Baker already have been so accused.)

He told me that a lot of our "people have been pretty loose in the way we have gone about asking for this report", and he is "100 percent certain" it is going to "backfire".

He advised us not even to try to get a copy. The implication is that the Carter people would love to use unethical behavior to attack us and deflect criticism.

As partial support of this story, another source on the hill has named names in this campaign as having asked for the secret report.

1805

July 3, 1980

Mr. C. W. Hank McCullough
P. O. Box 4173
Woodside, CA 94062

Dear Hank:

This is just a quick line to say it was good to see you the other day even if we didn't have much of an opportunity to visit. But, also, to thank you for the material you brought to us -- particularly the report on Iran. I was greatly impressed and must say it confirmed many of my suspicions about the role played by this administration in that whole tragic affair.

Nancy sends her best as do I and we both hope we'll see you soon.

Sincerely,

RONALD REAGAN

(415) 851-2329

G. W. Hank McCullough

P.O. Box 4173

WOODSIDE, CALIF. 94062

DEPARTMENT OF THE NAVY
OFFICE OF LEGISLATIVE AFFAIRS

Bank:

This might be of interest
to the folks advising the governor
in foreign policy issues. It
should also serve as an object
lesson on how not to structure
a "crisis bank" - which can only
handle one thing at a time. I
really think that our foreign
policy organizations within the
executive are at fault while
the President's fault was in a
failure to recognize this fact.
More later

Kuba. ~~Long~~

1807

September 4, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President will travel to Los Angeles on September 22, 1980 to attend a fundraiser for the Democratic National Committee.

Sen. Edward M. Kennedy will also attend the fundraiser.

Additional details of the President's schedule will be announced later.

#

September 11, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President will travel to Illinois, California, Oregon and Washington on September 22nd and 23rd for a series of fundraisers and campaign events.

He will depart Washington early on the morning of Monday the 22nd, for Springfield, Illinois, and travel from there to Los Angeles. He will hold a town meeting in the Los Angeles area, drop by the state AFL-CIO convention and address a fundraiser. He will spend the night in Los Angeles.

On Tuesday the 23rd, the President will travel to San Jose, California; Portland, Oregon; and Tacoma, Washington. He is scheduled to return to Washington, D.C., in the early morning hours of September 24.

Further details will be posted as they become available.

#

FOR YOUR GUIDANCE ONLY

September 19, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
SPRINGFIELD, ILLINOIS; LOS ANGELES AND
SAN JOSE, CALIFORNIA; PORTLAND, OREGON
AND TACOMA, WASHINGTON

SUMMARY SCHEDULE

September 22 - 23, 1980

Weather: IL - cloudy with occasional showers, high 79, low 55
CA - mostly sunny, high 82, low 52
OR & WA - showers, high 67, low 47

7:30 am EDT Press check-in Andrews Air Force Base

8:00 am EDT Pan American World Airways Press Plane departs
Andrews Air Force Base enroute Capital Airport,
Springfield, Illinois

(Flying Time: 1 hour, 40 minutes)
(Time Change: minus one hour)

8:00 am EDT Air Force One check-in Andrews Air Force Base

8:05 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE
HOUSE ENROUTE ANDREWS AIR FORCE BASE

8:20 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR
FORCE ONE AND DEPARTS ENROUTE CAPITAL AIRPORT, SPRINGFIELD,
ILLINOIS

Air Force One Pool accompanies

8:40 am CDT Pan American World Airways Press Plane arrives Capital
Airport, National Guard Hangar Area, Springfield, Illinois

PRESS NOTE: PAA Press Plane will serve
as Press Filing Center at
all stops except Los
Angeles and Tacoma

Press Plane Facilities: 14 LDs
Mult
PA

9:10 am CDT THE PRESIDENT ARRIVES CAPITAL AIRPORT, NATIONAL GUARD HANGAR
AREA, SPRINGFIELD, ILLINOIS, BOARDS MOTORCADE AND DEPARTS
ENROUTE LINCOLN LAND COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

OPEN PRESS COVERAGE
- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

9:30 am CDT THE PRESIDENT ARRIVES LINCOLN LAND COMMUNITY COLLEGE,
SPRINGFIELD, ILLINOIS TO VIEW STUDENT ENERGY PROJECT

Press Pool Coverage

10:00 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE MENARD HALL
LINCOLN LAND COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

Press Pool follows

10:05 am CDT THE PRESIDENT ARRIVES MENARD HALL, LINCOLN LAND COMMUNITY
COLLEGE, AND PROCEEDS TO DINING ROOM FOR REMARKS TO STUDENTS
AND RESIDENTS

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

10:25 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE LOGAN HALL,
LINCOLN LAND COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

Press Pool follows

10:30 am CDT THE PRESIDENT ARRIVES LOGAN HALL, LINCOLN LAND COMMUNITY
COLLEGE, AND PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/STAF
TIME

10:50 am CDT THE PRESIDENT PROCEEDS TO AUDITORIUM, LOGAN HALL, FOR MEETING
WITH POLITICAL LEADERS

PRESIDENTIAL REMARKS

Press Pool Coverage

11:10 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE CAPITAL
AIRPORT, SPRINGFIELD, ILLINOIS

Press Pool Follows

11:35 am CDT THE PRESIDENT ARRIVES CAPITAL AIRPORT, NATIONAL GUARD HANGAR
AREA, SPRINGFIELD, ILLINOIS, BOARDS AIR FORCE ONE AND DEPARTS
ENROUTE LOS ANGELES, CALIFORNIA

Press Pool accompanies

11:40 am CDT PAA Press Plane departs Capital Airport, Springfield,
Illinois enroute Los Angeles, California

(Flying Time: 3 hours, 20 minutes)
(Time Change: Minus 2 hours)

- MORE -

1810

MONDAY, SEPTEMBER 22, 1980 (con't)

1:00 pm PDT PAA Press Plane arrives Los Angeles International Airport;
Continental Airlines Maintenance Ramp, Los Angeles,
California

PRESS NOTE: Press Filing Center (Royal
Room, lobby level) and
Press RON Beverly Hilton
Hotel

1:15 pm PDT THE PRESIDENT ARRIVES LOS ANGELES INTERNATIONAL AIRPORT,
CONTINENTAL AIRLINES MAINTENANCE RAMP, LOS ANGELES, CALIFORNIA;
BOARDS MOTORCADE AND DEPARTS ENROUTE NORTH HIGH SCHOOL,
TORRANCE, CALIFORNIA

OPEN PRESS COVERAGE

1:50 pm PDT THE PRESIDENT ARRIVES NORTH HIGH SCHOOL GYMNASIUM AND PROCEEDS
INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

2:00 pm PDT THE PRESIDENT PROCEEDS TO STAGE FOR TOWN HALL MEETING WITH
AREA RESIDENTS

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

3:00 pm PDT TOWN HALL MEETING CONCLUDES

3:10 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS NORTH HIGH SCHOOL,
TORRANCE, CALIFORNIA ENROUTE LOS ANGELES CONVENTION CENTER,
LOS ANGELES, CALIFORNIA

Press Pool follows

3:50 pm PDT THE PRESIDENT ARRIVES LOS ANGELES CONVENTION CENTER AND
PROCEEDS INSIDE FOR REMARKS TO CALIFORNIA STATE AFL-CIO
CONVENTION

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

4:20 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE BEVERLY
HILTON HOTEL, LOS ANGELES, CALIFORNIA

Press Pool Coverage

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

4:45 pm PDT THE PRESIDENT ARRIVES BEVERLY HILTON HOTEL AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

6:25 pm PDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO GRAND BALLROOM, BEVERLY HILTON HOTEL, FOR DEMOCRATIC NATIONAL COMMITTEE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

7:20 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS BEVERLY HILTON HOTEL ENROUTE CENTURY PLAZA HOTEL, LOS ANGELES, CALIFORNIA

Press Pool follows

7:25 pm PDT THE PRESIDENT ARRIVES CENTURY PLAZA HOTEL AND PROCEEDS TO PRIVATE ROOM TO REMAIN OVERNIGHT

Press Pool Coverage

TUESDAY, SEPTEMBER 23, 1980

Baggage Call: 6:00-6:30 am - Hotel Lobby

7:45 am PDT PAA Press Plane departs Los Angeles International Airport Los Angeles, California enroute San Jose, California

(Flying Time: 1 hour)
(No Time Change)

7:45 am PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS CENTURY PLAZA HOTEL HOTEL ENROUTE LOS ANGELES INTERNATIONAL AIRPORT, LOS ANGELES, CALIFORNIA

Press Pool follows

8:15 am PDT THE PRESIDENT ARRIVES LOS ANGELES AIRPORT, CONTINENTAL MAINTENANCE RAMP, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE SAN JOSE, CALIFORNIA

Press Pool accompanies

8:45 am PDT PAA Press Plane arrives San Jose Municipal Airport, San Jose, California

9:15 am PDT THE PRESIDENT ARRIVES SAN JOSE MUNICIPAL AIRPORT, GATE 22, SAN JOSE, CALIFORNIA, BOARDS MOTORCADE AND DEPARTS ENROUTE SAN JOSE CITY HALL, SAN JOSE, CALIFORNIA

OPEN PRESS COVERAGE
- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

9:35 am PDT THE PRESIDENT ARRIVES SAN JOSE CITY HALL, SAN JOSE, CALIFORNIA
AND PROCEEDS TO CITY HALL CONFERENCE ROOM FOR LOCAL ENERGY/
TECHNOLOGY BRIEFING

Press Pool Coverage

10:05 am PDT THE PRESIDENT PROCEEDS TO SAN JOSE CITY HALL COURTYARD TO
VIEW ENERGY/TECHNOLOGY EXHIBITS

Press Pool Coverage

10:30 am PDT THE PRESIDENT PROCEEDS TO FRONT OF CITY HALL FOR BRIEF REMARKS
PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

11:15 am PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE SAN JOSE
MUNICIPAL AIRPORT, SAN JOSE, CALIFORNIA

Press Pool follows

11:30 am PDT THE PRESIDENT ARRIVES SAN JOSE MUNICIPAL AIRPORT, GATE 22,
SAN JOSE, CALIFORNIA, BOARDS AIR FORCE ONE AND DEPARTS
ENROUTE PORTLAND, OREGON

Press Pool accompanies

11:35 am PDT PAA Press Plane departs San Jose Municipal Airport,
San Jose, California enroute Portland, Oregon

(Flying Time: 1 hour, 10 minutes)
(No Time Change)

12:45 pm PDT PAA Press Plane arrives Portland International Airport,
Air National Guard Ramp, Portland, Oregon

1:05 pm PDT THE PRESIDENT ARRIVES PORTLAND INTERNATIONAL AIRPORT, AIR
NATIONAL GUARD RAMP, PORTLAND, OREGON

OPEN PRESS COVERAGE

1:20 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE BUCKMAN
NEIGHBORHOOD, PORTLAND, OREGON

Press Pool follows

1:40 pm PDT THE PRESIDENT ARRIVES BUCKMAN NEIGHBORHOOD FOR TOUR OF
ENERGY-EFFICIENT ROWHOUSES

Press Pool Coverage

- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

1:50 pm PDT THE PRESIDENT PROCEEDS TO BACKYARD FOR ENERGY ROUNDTABLE
DISCUSSION

Press Pool Coverage

2:10 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE MR. JOHN
SCHWABE RESIDENCE, PORTLAND, OREGON

Press Pool follows

2:25 pm PDT THE PRESIDENT ARRIVES SCHWABE RESIDENCE AND PROCEEDS INSIDE
FOR DEMOCRATIC NATIONAL COMMITTEE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

Press Pool Coverage

3:00 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE PORTLAND
INTERNATIONAL AIRPORT, PORTLAND, OREGON

Press Pool follows

3:30 pm PDT THE PRESIDENT ARRIVES PORTLAND INTERNATIONAL AIRPORT, AIR
NATIONAL GUARD RAMP, PORTLAND, OREGON, BOARDS AIR FORCE ONE
AND DEPARTS ENROUTE TACOMA, WASHINGTON

3:30 pm PDT PAA Press Plane departs Portland International Airport,
Air National Guard Ramp, Portland, Oregon enroute
Tacoma, Washington

(Flying Time: 35 minutes)
(No Time Change)

4:05 pm PDT PAA Press Plane arrives McChord Air Force Base,
Tacoma, Washington

PRESS NOTE: Press Filing Center
located MAC Passenger
Terminal, Customs Area,
McChord Air Force Base

4:25 pm PDT THE PRESIDENT ARRIVES McCHORD AIR FORCE BASE, TACOMA,
WASHINGTON, BOARDS MOTORCADE AND DEPARTS ENROUTE CONTINENTAL
GRAIN TERMINAL, TACOMA, WASHINGTON

OPEN PRESS COVERAGE

5:00 pm PDT THE PRESIDENT ARRIVES CONTINENTAL GRAIN TERMINAL, TACOMA,
WASHINGTON AND PROCEEDS INSIDE FOR TOUR

Press Pool Coverage

- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

5:25 pm PDT TOUR CONCLUDES. THE PRESIDENT PROCEEDS OUTSIDE FOR REMARKS
TO EMPLOYEES

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

5:40 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE TACOMA
BICENTENNIAL PAVILION, TACOMA, WASHINGTON

Press Pool follows

5:45 pm PDT THE PRESIDENT ARRIVES TACOMA BICENTENNIAL PAVILION AND
PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

6:35 pm PDT THE PRESIDENT PROCEEDS TO PAVILION ROTUNDA FOR DEMOCRATIC
NATIONAL COMMITTEE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

7:00 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE McCHORD
AIR FORCE BASE, TACOMA, WASHINGTON

Press Pool follows

7:20 pm PDT THE PRESIDENT ARRIVES McCHORD AIR FORCE BASE, TACOMA,
WASHINGTON, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE
ANDREWS AIR FORCE BASE

OPEN PRESS COVERAGE

8:00 pm PDT PAA Press Plane departs McChord Air Force Base,
Tacoma, Washington enroute Andrews Air Force Base

(Flying Time: 4 hours, 40 minutes)
(Time Change: Minus 3 hours)

WEDNESDAY, SEPTEMBER 24, 1980

3:00 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS MARINE
ONE AND DEPARTS ENROUTE THE WHITE HOUSE

3:20 am EDT THE PRESIDENT ARRIVES THE WHITE HOUSE

4:00 am EDT PAA Press Plane arrives Andrews Air Force Base .

#

SEPTEMBER 22, 1980

Office of the White House Press Secretary
(Los Angeles, California)

NOTICE TO THE PRESS

The President will travel to New York City on Monday, September 29, 1980, to address the annual convention of the International Ladies' Garment Workers Union. He is scheduled to leave the White House mid-morning Monday and return that afternoon. Further details will be announced as they become available.

* * *

The President will travel to Flint, Michigan, on Wednesday, October 1, 1980, to hold a town meeting. He is scheduled to depart Washington Wednesday morning and return that evening. Further details will be announced as they become available.

* * *

The President will travel to Ohio and Pennsylvania on Thursday, October 2, 1980. He is scheduled to leave Washington mid-morning Thursday for Dayton, Ohio, where he will hold a town meeting. He will depart Dayton mid-afternoon for Philadelphia, where he will attend a Democratic National Committee fundraising reception. He is scheduled to return to Washington Thursday evening. Further details will be announced as they become available.

* * *

The President will travel to Tennessee and North Carolina on Thursday, October 9. He is scheduled to leave Washington early Thursday morning for Bristol, Tennessee, where he will attend a Democratic National Committee fundraiser. He will depart Bristol mid-morning for Nashville, where he will hold a town meeting and attend a Carter/Mondale fundraiser. He will depart Nashville mid-afternoon for Winston-Salem, North Carolina, where he will attend two Carter/Mondale campaign events. The President is scheduled to return to Washington Thursday evening. Further details will be announced as they become available.

#

(THIS ANNOUNCEMENT HAS ALSO BEEN POSTED IN WASHINGTON, D.C.)

FOR YOUR GUIDANCE ONLY

September 22, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
SPRINGFIELD, ILLINOIS; LOS ANGELES AND
SAN JOSE, CALIFORNIA; PORTLAND, OREGON
AND TACOMA, WASHINGTON

September 22 - 23, 1980

7:30 am EDT Press check-in Andrews Air Force Base

8:00 am EDT Pan American World Airways Press Plane departs
Andrews Air Force Base enroute Capital Airport,
Springfield, Illinois

(Flying Time: 1 hour, 40 minutes)
(Time Change: minus one hour)

8:00 am EDT Air Force One check-in Andrews Air Force Base

8:05 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE
HOUSE ENROUTE ANDREWS AIR FORCE BASE

8:20 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR
FORCE ONE AND DEPARTS ENROUTE CAPITAL AIRPORT, SPRINGFIELD,
ILLINOIS

Press Pool #1 accompanies

8:40 am CDT Pan American World Airways Press Plane arrives Capital
(9:40 am EDT) Airport, National Guard Hangar Area, Springfield, Illinois

LEAD PRESS ADVANCE: Lisa Strasburg

PRESS NOTE: PAA Press Plane will serve
as Press Filing Center at
all stops except Los
Angeles and Tacoma

Press Plane Facilities: 14 LDs
Mult
PA

Airport Press Facilities: 6 LDs
Riser
Telex Runners

8:45 am CDT Press Pool #2 assembles in Airport Press Area
(9:45 am EDT)

8:45 am CDT Press Buses #1 and #2 depart Capital Airport, National
(9:45 am EDT) Guard Hangar Area, enroute Lincoln Land Community College,
Springfield, Illinois

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

9:05 am CDT Press Buses #1 and #2 arrive Lincoln Land Community
(10:05 am EDT) College, Menard Hall, for pre-position

Press Facilities: 8 LDs
2 mults
PA'd to PAA

9:10 am CDT THE PRESIDENT ARRIVES CAPITAL AIRPORT, NATIONAL GUARD HANGAR
(10:10 am EDT) AREA, SPRINGFIELD, ILLINOIS

THE PRESIDENT WILL BE GREETED BY:
Mr. Alan Dixon, Secretary of State
Mr. Jerry Consentino, State Treasurer
Mr. Bill Redmond, Speaker of the House
State Senator Vince DeMuzio
State Representative Doug Kane

OPEN PRESS COVERAGE

9:20 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE LINCOLN LAND
(10:20 am EDT) COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

Press Pool #2 and Press Bus #3 follow

9:40 am CDT THE PRESIDENT ARRIVES LINCOLN LAND COMMUNITY COLLEGE,
(10:40 am EDT) SPRINGFIELD, ILLINOIS AND PROCEEDS TO ALCOHOL FUEL STILL
BUILDING TO VIEW STUDENT ENERGY CONSERVATION PROJECT

Press Pool #2 Coverage

9:50 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE MENARD HALL,
(10:50 am EDT) LINCOLN LAND COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

Press Pool #2 follows

9:55 am CDT THE PRESIDENT ARRIVES MENARD HALL, LINCOLN LAND COMMUNITY
(10:55 am EDT) COLLEGE, AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #2 Coverage

10:00 am CDT THE PRESIDENT PROCEEDS TO DINING ROOM, MENARD HALL, TO ADDRESS
(11:00 am EDT) LOCAL RESIDENTS AND STUDENTS

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

10:15 am CDT REMARKS CONCLUDE
(11:15 am EDT)

10:25 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE LOGAN HALL,
(11:25 am EDT) LINCOLN LAND COMMUNITY COLLEGE, SPRINGFIELD, ILLINOIS

Press Pool #2 follows
- MOR6-1-11

1818

MONDAY, SEPTEMBER 22, 1980 (con't)

10:30 am CDT THE PRESIDENT ARRIVES LOGAN HALL, LINCOLN LAND COMMUNITY
(11:30 am EDT) COLLEGE, AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

PRESS NOTE: Press Pool #2 will be
escorted to holding room

10:30 am CDT Press Buses #1, #2 and #3 depart Menard Hall Lincoln
(11:30 am EDT) Land Community College, Springfield, Illinois enroute
Capital Airport, Springfield, Illinois

10:50 am CDT THE PRESIDENT PROCEEDS TO AUDITORIUM, LOGAN HALL, FOR MEETING
(11:50 am EDT) WITH DOWNSTATE DEMOCRATIC LEADERS

10:55 am CDT PRESIDENTIAL REMARKS
(11:55 am EDT)

Press Pool #2 Coverage

Press Facilities: Riser

11:00 am CDT REMARKS CONCLUDE
(12:00 pm EDT)

11:00 am CDT Press Buses #1, #2 and #3 arrive Capital Airport,
(12:00 pm EDT) National Guard Hangar Area, Springfield, Illinois

11:10 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE CAPITAL
(12:10 pm EDT) AIRPORT, SPRINGFIELD, ILLINOIS

Press Pool #2 follows

11:35 am CDT THE PRESIDENT ARRIVES CAPITAL AIRPORT, NATIONAL GUARD HANGAR
(12:35 pm EDT) AREA, SPRINGFIELD, ILLINOIS, BOARDS AIR FORCE ONE AND
DEPARTS ENROUTE LOS ANGELES, CALIFORNIA

Press Pool #3 accompanies

11:40 am CDT PAA Press Plane departs Capital Airport, Springfield,
(12:40 pm EDT) Illinois enroute Los Angeles, California

(Flying Time: 3 hours, 20 minutes
(Time Change: Minus 2 hours)

1:00 pm PDT PAA Press Plane arrives Los Angeles International Airport
(4:00 pm EDT) Continental Airlines Maintenance Ramp, Los Angeles,
California

LEAD PRESS ADVANCE: Gael Doar

PRESS NOTE: Press Filing Center (Royal
Suite, lobby level) and
Press RON Beverly Hilton
Hotel

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

Airport Press Facilities: 6 LDs
Flatbed

1:10 pm PDT Press Pool #4 assembles in Airport Press Area
(4:10 pm EDT)

1:15 pm PDT THE PRESIDENT ARRIVES LOS ANGELES INTERNATIONAL AIRPORT,
(4:15 pm EDT) CONTINENTAL AIRLINES MAINTENANCE RAMP, LOS ANGELES, CALIFORNIA

THE PRESIDENT WILL BE GREETED BY:

Governor Edmund G. Brown, Jr.
Congressman Glenn Anderson
Mr. John Tunney, Former United States Senator
Mr. Jesse M. Unruh, State Senator
Ms. March Fong Eu, Secretary of State
Mayor Tom Bradley, City of Los Angeles
State Senator Joe Montoya
State Senator Diane Watson
State Senator Omer Rains
State Assemblyman Howard Berman
State Assemblyman Mike Roos
State Assemblyman Curtis Tucker
State Assemblyman Richard Alatorre
Mr. Kenneth Hahn, Supervisor
Mr. John Ferraro, President, City Council
Ms. Joy Picus, City Councilwoman
Mr. Zev Yaroslavsky, City Councilman
Mr. Burt Pines, City Attorney
Mr. John Van de Kamp, Los Angeles District Attorney
Mr. Lew Wasserman

OPEN PRESS COVERAGE

1:25 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE NORTH HIGH
(4:25 pm EDT) SCHOOL, TORRANCE, CALIFORNIA

Press Pool #4 and Press Buses #1 and #2 follow

PRESS NOTE: Press Bus #2 will return to
PFC immediately upon
conclusion of Town Hall Mtg

1:30 pm PDT Press Bus #3 departs Los Angeles International Airport,
(4:30 pm EDT) Los Angeles, California enroute Press Filing Center,
Beverly Hilton Hotel, Los Angeles, California

1:50 pm PDT THE PRESIDENT ARRIVES NORTH HIGH SCHOOL GYMNASIUM AND PROCEEDS
(4:50 pm EDT) INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

THE PRESIDENT WILL BE GREETED BY:

Mayor and Mrs. Jim Armstrong, City of Torrance
Ms. Dorothy Baker, President, Torrance Board of Education
Dr. and Mrs. Ed Richardson, Superintendent of Schools
Mr. and Mrs. Leonard Lifton

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

Press Pool #4 Coverage

1:55 pm PDT Press Bus #3 arrives Beverly Hilton Hotel, Los Angeles,
(4:55 pm EDT) California

PRESS NOTE: Press Filing Center
located in Royal Suite,
Lobby Level

PRESS NOTE: Room keys available in PFC

Press Filing Center Facilities: 12 LDs
Mult
Telex
PA

2:00 pm PDT THE PRESIDENT PROCEEDS TO STAGE, NORTH HIGH SCHOOL GYMNASIUM,
(5:00 pm EDT) FOR TOWN HALL MEETING WITH AREA RESIDENTS

Introduction of the President by Governor Edmund G. Brown, Jr.

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

Press Facilities: 8 LDs
Mult
PA'd to PFC

PRESS NOTE: Six additional telephones
and a mult located in
Saxon Hall (behind
Gymnasium)

3:00 pm PDT TOWN HALL MEETING CONCLUDES
(6:00 pm EDT)

3:15 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE LOS ANGELES
(6:15 pm EDT) CONVENTION CENTER, LOS ANGELES, CALIFORNIA

Press Pool #4 and Press Bus #1 follow

3:20 pm PDT Press Bus #2 departs North High School, Torrance,
(6:20 pm EDT) California enroute Press Filing Center, Beverly Hilton
Hotel, Los Angeles, California

3:55 pm PDT THE PRESIDENT ARRIVES LOS ANGELES CONVENTION CENTER, LOS
(6:55 pm EDT) ANGELES, CALIFORNIA AND PROCEEDS INSIDE TO PRIVATE ROOM FOR
PERSONAL/STAFF TIME

4:00 pm PDT THE PRESIDENT PROCEEDS TO STAGE, NEIL PETRIE HALL, FOR REMARKS
(7:00 pm EDT) TO CALIFORNIA STATE AFL-CIO CONVENTION

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

Introduction of the President by Mr. Jack Henning, Executive
Secretary/Treasurer, California State AFL-CIO

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

Press Facilities: 6 LDs
Mult
90' throw
PA'd to PFC

4:00 pm PDT Press Bus #2 arrives Beverly Hilton Hotel, Los Angeles,
(7:00 pm EDT) California

4:25 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE BEVERLY
(7:25 pm EDT) HILTON HOTEL, LOS ANGELES, CALIFORNIA

Press Pool #4 follows

PRESS NOTE: Immediately upon departure
of motorcade, remaining
members of the press should
board Press Bus #1

4:30 pm PDT Press Bus #1 departs enroute Beverly Hilton Hotel,
(7:30 pm EDT) Los Angeles, California

4:50 pm PDT THE PRESIDENT ARRIVES BEVERLY HILTON HOTEL AND PROCEEDS TO
(7:50 pm EDT) PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #4 Coverage

5:15 pm PDT Press Bus #1 arrives Beverly Hilton Hotel, Los Angeles,
(8:15 pm EDT) California

6:10 pm PDT Press Pool #5 assembles in Press Filing Center
(9:10 pm EDT)

6:30 pm PDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO GRAND
(9:30 pm EDT) BALLROOM, BEVERLY HILTON HOTEL, FOR DEMOCRATIC NATIONAL
COMMITTEE FUNDRAISING RECEPTION

Remarks by Governor Edmund G. Brown, Jr.

Introduction of the President by Senator Edward M. Kennedy

6:40 pm PDT PRESIDENTIAL REMARKS
(9:40 pm EDT)

OPEN PRESS COVERAGE

Press Facilities: Mult
PA'd to PFC

- MORE -

MONDAY, SEPTEMBER 22, 1980 (con't)

6:55 pm PDT REMARKS CONCLUDE
(9:55 pm EDT)

7:15 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE CENTURY
(10:15 pm EDT) PLAZA HOTEL, LOS ANGELES, CALIFORNIA

Press Pool #5 follows

7:20 pm PDT THE PRESIDENT ARRIVES CENTURY PLAZA HOTEL AND PROCEEDS INSIDE
(10:20 pm EDT) TO PRIVATE ROOM TO REMAIN OVERNIGHT

7:25 pm PDT Press Pool #5 departs Century Plaza Hotel enroute
(10:25 pm EDT) Beverly Hilton Hotel, Los Angeles, California

7:30 pm PDT Press Pool #5 arrives Century Plaza Hotel, Los Angeles,
(10:30 pm EDT) California

TUESDAY, SEPTEMBER 23, 1980

Baggage Call: 5:45 - 6:15 am Hotel Lobby

6:45 am PDT Press Buses #1, #2, #3 and #4 depart Beverly Hilton Hotel
(9:45 am EDT) enroute Los Angeles International Airport, Los Angeles,
California

7:15 am PDT Press Pool #6 assembles in Press Filing Center
(10:15 am EDT)

7:35 am PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS CENTURY PLAZA HOTEL
(10:35 am EDT) ENROUTE LOS ANGELES INTERNATIONAL AIRPORT, LOS ANGELES,
CALIFORNIA

Press Pool #6 follows

7:40 am PDT Press Buses #1, #2, #3 and #4 arrive Los Angeles
(10:40 am EDT) International Airport, Continental Airlines Maintenance
Ramp, Los Angeles, California

7:45 am PDT PAA Press Plane departs Los Angeles International Airport
(10:45 am EDT) Los Angeles, California enroute San Jose, California

(Flying Time: 1 hour)
(No Time Change)

8:15 am PDT THE PRESIDENT ARRIVES LOS ANGELES INTERNATIONAL AIRPORT,
(11:15 am EDT) CONTINENTAL AIRLINES MAINTENANCE RAMP, LOS ANGELES, CALIFORNIA
BOARDS AIR FORCE ONE AND DEPARTS ENROUTE SAN JOSE, CALIFORNIA

Press Pool #6 accompanies

8:45 am PDT PAA Press Plane arrives San Jose Municipal Airport,
(11:45 am EDT) Gate 22, San Jose, California

LEAD PRESS ADVANCE: Steve Ogg
- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

Airport Press Facilities: 6 LDs
10 coin phones
Riser
Telex Runners

8:55 am PDT Press Bus #1 departs enroute San Jose City Hall, San
(11:55 am EDT) Jose, California for pre-position

8:55 am PDT Press Pool #7 assembles in Airport Press Area
(11:55 am EDT)

9:05 am PDT Press Bus #1 arrives San Jose City Hall, San Jose,
(12:05 pm EDT) California

9:15 am PDT THE PRESIDENT ARRIVES SAN JOSE MUNICIPAL AIRPORT, GATE 22,
(12:15 pm EDT) SAN JOSE, CALIFORNIA

THE PRESIDENT WILL BE GREETED BY:
Mayor Janet Gray, City of San Jose
Vice Mayor Jerry Estruth
State Senator Alfred Alquist
State Assemblywoman Leona Egeland
State Assemblyman Alister McAlister
State Assemblyman John Vasconellos
Mr. Robert Aguilar, United States District Court Judge
Ms. Susan Hammer, City Councilwoman
Mr. Tom McEnery, City Councilwoman
Ms. Iola Williams, City Councilwoman
Mr. Dan McCorquodale

OPEN PRESS COVERAGE

9:30 am PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE SAN JOSE
(12:30 pm EDT) CITY HALL, SAN JOSE, CALIFORNIA

Press Pool #7 and Press Buses #2 and #3 follow

9:40 am PDT THE PRESIDENT ARRIVES SAN JOSE CITY HALL, SAN JOSE, CALIFORNIA
(12:40 pm EDT) AND PROCEEDS TO CITY HALL CONFERENCE ROOM FOR LOCAL ENERGY/
TECHNOLOGY BRIEFING

Brief Photo Session
Press Pool #7 Coverage

10:10 am PDT THE PRESIDENT PROCEEDS TO SAN JOSE CITY HALL COURTYARD TO
(1:10 pm EDT) VIEW ENERGY/TECHNOLOGY EXHIBITS

Press Pool #7 Coverage

10:35 am PDT THE PRESIDENT PROCEEDS TO FRONT OF CITY HALL FOR BRIEF REMARKS
(1:35 pm EDT)

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE
- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

Press Facilities: 10 LDs
Mult
Riser

PRESS NOTE: Immediately upon
conclusion of remarks,
members of the press board
Press Buses #1, #2 and #3

10:45 am PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE SAN JOSE
(1:45 pm EDT) MUNICIPAL AIRPORT, SAN JOSE, CALIFORNIA

Press Pool #7 and Press Buses #1, #2 and #3 follow

10:55 am PDT THE PRESIDENT ARRIVES SAN JOSE MUNICIPAL AIRPORT, GATE 22,
(1:55 pm EDT) SAN JOSE, CALIFORNIA AND PROCEEDS TO PRIVATE ROOM FOR
PERSONAL/STAFF TIME

Press Pool #7 Coverage

11:20 am PDT THE PRESIDENT BOARDS AIR FORCE ONE AND DEPARTS SAN JOSE,
(2:20 pm EDT) CALIFORNIA ENROUTE PORTLAND, OREGON

Press Pool #8 accompanies

11:25 am PDT PAA Press Plane departs San Jose Municipal Airport,
(2:25 pm EDT) San Jose, California enroute Portland, Oregon

(Flying Time: 1 hour, 10 minutes)
(No Time Change)

12:35 pm PDT PAA Press Plane arrives Portland International Airport,
(3:35 pm EDT) Air National Guard Ramp, Portland, Oregon

LEAD PRESS ADVANCE: Larry Walsh

Airport Press Facilities: 6 LDs
Telex

12:40 pm PDT Press Pool #9 assembles in Airport Press Area
(3:40 pm EDT)

12:50 pm PDT THE PRESIDENT ARRIVES PORTLAND INTERNATIONAL AIRPORT, AIR
(3:50 pm EDT) NATIONAL GUARD RAMP, PORTLAND, OREGON

THE PRESIDENT WILL BE GREETED BY:
Governor and Mrs. Robert Straub
Congressman Al Ullman
Congressman Bob Duncan
Congressman Les AuCoin
Congressman Jim Weaver
Mr. Jason Boe, President, Oregon State Senate
Mr. Hardy Myers, Speaker of the House
Mr. Fred Heard, State Senator

- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

OPEN PRESS COVERAGE

1:05 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE BUCKMAN
(4:05 pm EDT) NEIGHBORHOOD, PORTLAND, OREGON

Press Pool #9 follows

1:25 pm PDT THE PRESIDENT ARRIVES BUCKMAN NEIGHBORHOOD AND PROCEEDS ON
(4:25 pm EDT) TOUR OF ENERGY-EFFICIENT ROWHOUSES

Press Pool #9 Coverage

1:35 pm PDT THE PRESIDENT PROCEEDS TO BACKYARD FOR ENERGY ROUNDTABLE
(4:35 pm EDT) DISCUSSION

Press Pool #9 Coverage

Press Facilities: 6 LDs
Mult
PA'd to PAA

2:05 pm PDT DISCUSSION CONCLUDES. THE PRESIDENT BOARDS MOTORCADE AND
(5:05 pm EDT) DEPARTS ENROUTE MR. JOHN SCHWABE RESIDENCE, PORTLAND, OREGON

Press Pool #9 follows

2:15 pm PDT THE PRESIDENT ARRIVES SCHWABE RESIDENCE AND PROCEEDS TO PATIO
(5:15 pm EDT) AREA FOR DEMOCRATIC NATIONAL COMMITTEE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

Press Pool #9 Coverage

Press Facilities: 6 LDs
Mult
PA'd to PFC

2:50 pm PDT REMARKS CONCLUDE. THE PRESIDENT BOARDS MOTORCADE AND DEPARTS
(5:50 pm EDT) ENROUTE PORTLAND INTERNATIONAL AIRPORT, PORTLAND, OREGON

Press Pool #9 follows

3:10 pm PDT THE PRESIDENT ARRIVES PORTLAND INTERNATIONAL AIRPORT, AIR
(6:10 pm EDT) NATIONAL GUARD RAMP, PORTLAND, OREGON, BOARDS AIR FORCE ONE
AND DEPARTS ENROUTE TACOMA, WASHINGTON

Press Pool #10 accompanies

3:15 pm PDT PAA Press Plane departs Portland International Airport,
(6:15 pm EDT) Portland, Oregon enroute Tacoma, Washington

- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

(Flying Time: 35 minutes)
(No Time Change)3:50 pm PDT PAA Press Plane arrives McChord Air Force Base,
(6:50 pm EDT) MAC Passenger Terminal, Tacoma, WashingtonLEAD PRESS ADVANCE: Steve LeroyPRESS NOTE: Press Filing Center
located MAC Passenger
Terminal, Customs Area,
McChord Air Force BasePress Filing Center Facilities: 15 Lds
Mult
PA
Telex RunnersAirport Press Facilities: Flatbed4:00 pm PDT Press Pool #11 assembles in Airport Press Area
(7:00 pm EDT)4:05 pm PDT THE PRESIDENT ARRIVES McCHORD AIR FORCE BASE, MAC PASSENGER
(7:05 pm EDT) TERMINAL, TACOMA, WASHINGTONTHE PRESIDENT WILL BE GREETED BY:
Mayor and Mrs. Michael Parker, City of Tacoma
Lieutenant Governor John Cherberg
State Senator James McDermott
State Senator Marc Gaspard
State Senator Lorraine Wojarn
State Senator R. Ted Bottiger
State Senator A.L. Rasmussen

OPEN PRESS COVERAGE

4:15 pm PDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE CONTINENTAL
(7:15 pm EDT) GRAIN TERMINAL, TACOMA, WASHINGTON

Press Pool #11 and Press Buses #1, #2 and #3 follow

4:30 pm PDT THE PRESIDENT ARRIVES CONTINENTAL GRAIN TERMINAL, TACOMA,
(7:30 pm EDT) WASHINGTON AND PROCEEDS INSIDE FOR TOUR

Press Pool #11 Coverage

4:45 pm PDT TOUR CONCLUDES. THE PRESIDENT PROCEEDS OUTSIDE FOR REMARKS
(7:45 pm EDT) TO EMPLOYEES4:55 pm PDT PRESIDENTIAL REMARKS
(7:55 pm EDT)OPEN PRESS COVERAGE
- MORE -

TUESDAY, SEPTEMBER 23, 1980 (con't)

Press Facilities: 2 LDs
 Mult
 Flatbed
 65' throw
 PA'd to PFC

5:10 pm PDT REMARKS CONCLUDE. THE PRESIDENT BOARDS MOTORCADE AND DEPARTS
 (8:10 pm EDT) ENROUTE TACOMA BICENTENNIAL PAVILION, TACOMA, WASHINGTON

Press Pool #11 and Press Buses #1, #2 and #3 follow

5:25 pm PDT THE PRESIDENT ARRIVES TACOMA BICENTENNIAL PAVILION, TACOMA,
 (8:25 pm EDT) WASHINGTON AND PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/
 STAFF TIME

Press Pool #11 Coverage

6:20 pm PDT THE PRESIDENT PROCEEDS TO PAVILION ROTUNDA FOR DEMOCRATIC
 (9:20 pm EDT) NATIONAL COMMITTEE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

Press Facilities: 8 LDs
 Mult
 PA'd to PFC

6:45 pm PDT REMARKS CONCLUDE. THE PRESIDENT BOARDS MOTORCADE AND DEPARTS
 (9:45 pm EDT) ENROUTE McCHORD AIR FORCE BASE, TACOMA, WASHINGTON

Press Pool #11 and Press Bus #1, #2 and #3 follow

7:10 pm PDT THE PRESIDENT ARRIVES McCHORD AIR FORCE BASE, MAC PASSENGER
 (10:10 pm EDT) TERMINAL, TACOMA, WASHINGTON, BOARDS AIR FORCE ONE AND
 DEPARTS ENROUTE ANDREWS AIR FORCE BASE

Press Pool #12 accompanies

OPEN PRESS COVERAGE

7:45 pm PDT PAA Press Plane departs McChord Air Force Base, Tacoma,
 (10:45 pm EDT) Washington enroute Andrews Air Force Base

(Flying Time: 4 hours, 40 minutes)
 (Time Change: Minus 3 hours)

WEDNESDAY, SEPTEMBER 24, 1980

2:50 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS MARINE ONE
 AND DEPARTS ENROUTE THE WHITE HOUSE

3:10 am EDT THE PRESIDENT ARRIVES THE WHITE HOUSE

3:25 am EDT PAA Press Plane arrives Andrews Air Force Base

October 6, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President will travel to Florida on Thursday, October 9th, following his visit to Tennessee and North Carolina.

The President will depart Winston Salem, N.C., early evening for Tallahassee, Fla., where he will attend a fundraising dinner for Democratic members of the State House of Representatives. While in Tallahassee the President will sign H.R. 7859, the Refugee Education Assistance Act of 1980.

The President will remain overnight in Tallahassee and the following morning will travel to St. Petersburg, Fla., where he will meet with Senior Citizens.

The President will arrive back at the White House early Friday afternoon.

October 6, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President will travel to New York, Illinois and Missouri on Monday, October 13th.

The President will depart mid-morning for New York City to sign the National Italian-American Heritage Week proclamation and participate in the Columbus Day Parade.

He will depart there early afternoon for Marion, Ill., where he will tour a coal mine in that area.

The President will depart Marion early evening for St. Louis, Mo., where he will hold a town meeting in suburban Normandy Township at the University of Missouri-St. Louis.

He is scheduled to arrive back at the White House late that night.

FOR YOUR GUIDANCE ONLY

OCTOBER 7, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
TRI-CITIES AREA AND NASHVILLE, TENNESSEE,
WINSTON-SALEM, NORTH CAROLINA AND
TALLAHASSEE AND ST. PETERSBURG, FLORIDA

SUMMARY SCHEDULE

October 9 - 10, 1980

Weather: TN-partly cloudy, NC-mostly sunny, Temperature Range-50-80
Tallahassee, FL-sunny & mild, St. Petersburg, FL-chance of thunderstorm
Temperature Range-58-87

7:00 am EDT Press check-in Andrews Air Force Base

7:30 am EDT Pan American Airlines press plane departs
Andrews Air Force Base enroute Tri-City Municipal
Airport, Tennessee

(Flying Time: 1 hour, 5 minutes)
(No Time Change)

8:00 am EDT Air Force One pool check-in Andrews Air Force Base

8:00 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE
HOUSE ENROUTE ANDREWS AIR FORCE BASE

8:20 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR FORCE
ONE AND DEPARTS ENROUTE TRI-CITY MUNICIPAL AIRPORT, TENNESSEE

Press Pool Coverage

8:45 am EDT PAA press plane arrives Tri-City Municipal Airport,
Tennessee

PRESS NOTE: PAA press plane will serve
as PFC in Bristol

9:30 am EDT THE PRESIDENT ARRIVES TRI-CITY MUNICIPAL AIRPORT, GATE #7,
AND PROCEEDS TO SOUTH END OF TERMINAL BUILDING FOR UPPER EAST
TENNESSEE CARTER/MONDALE RALLY

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

10:10 am EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS TRI-CITY MUNICIPAL
AIRPORT ENROUTE OLD DEERY INN, BLOUNTVILLE, TENNESSEE

Press Pool Coverage
- MORE -

10:25 am EDT THE PRESIDENT ARRIVES OLD DEERY INN, BLOUNTVILLE, TENNESSEE
AND PROCEEDS TO DEMOCRATIC NATIONAL COMMITTEE FUNDRAISING
RECEPTION

PRESIDENTIAL REMARKS

Press Pool Coverage

11:00 am EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS OLD DEERY INN
ENROUTE TRI-CITY MUNICIPAL AIRPORT, TENNESSEE

Press Pool Coverage

11:15 am EDT THE PRESIDENT ARRIVES TRI-CITY MUNICIPAL AIRPORT, BOARDS
AIR FORCE ONE AND DEPARTS ENROUTE NASHVILLE, TENNESSEE

Press Pool Coverage

11:20 am EDT PAA press plane departs Tri-City Municipal Airport
enroute Nashville, Tennessee

(Flying Time: 50 minutes)
(Time Change: Minus 1 hour)

11:10 am CDT PAA press plane arrives Berry Field, Nashville, Tennessee

PRESS NOTE: Press Filing Center located
in Building Plaza #721,
Air National Guard Ramp,
Berry Field

11:30 am CDT THE PRESIDENT ARRIVES BERRY FIELD, AIR NATIONAL GUARD RAMP,
NASHVILLE, TENNESSEE

OPEN PRESS COVERAGE

11:40 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE GRAND OLE
OPRY, OPRYLAND PARK, NASHVILLE, TENNESSEE

Press Pool Coverage

11:50 am CDT THE PRESIDENT ARRIVES GRAND OLE OPRY AND PROCEEDS INSIDE TO
PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

12:00 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO STAGE, GRAND
OLE OPRY, FOR TOWN HALL MEETING WITH AREA RESIDENTS

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

- MORE -

1:00 pm CDT TOWN HALL MEETING CONCLUDES. THE PRESIDENT DEPARTS STAGE, BOARDS MOTORCADE AND DEPARTS GRAND OLE OPRY ENROUTE OPRYLAND HOTEL, NASHVILLE, TENNESSEE

Press Pool Coverage

1:15 pm CDT THE PRESIDENT ARRIVES OPRYLAND HOTEL AND PROCEEDS INSIDE TO KNOXVILLE ROOM FOR CARTER/MONDALE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

Press Pool Coverage

2:10 pm CDT THE PRESIDENT DEPARTS KNOXVILLE ROOM, BOARDS MOTORCADE AND DEPARTS OPRYLAND HOTEL ENROUTE BERRY FIELD, NASHVILLE, TENNESSEE

Press Pool Coverage

2:20 pm CDT THE PRESIDENT ARRIVES BERRY FIELD, AIR NATIONAL GUARD RAMP, NASHVILLE, TENNESSEE, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE WINSTON-SALEM, NORTH CAROLINA

Press Pool Coverage

2:25 pm CDT PAA press plane departs Berry Field, Nashville, Tennessee enroute Winston-Salem, North Carolina

(Flying Time: 1 hour)
(Time Change: Plus 1 hour)

4:25 pm EDT PAA press plane arrives Smith Reynolds Airport, Piedmont Cargo Area, Winston-Salem, North Carolina

PRESS NOTE: Press Filing Center located in Piedmont Cargo Building
Telex available

4:40 pm EDT THE PRESIDENT ARRIVES SMITH REYNOLDS AIRPORT, PIEDMONT CARGO AREA, WINSTON-SALEM, NORTH CAROLINA, BOARDS MOTORCADE AND DEPARTS ENROUTE DIXIE CLASSIC FAIRGROUNDS, WINSTON-SALEM, NORTH CAROLINA

Press Pool Coverage

5:00 pm EDT THE PRESIDENT ARRIVES DIXIE CLASSIC FAIRGROUNDS AND PROCEEDS TO STAGE, GRANDSTAND AREA, FOR REMARKS TO RESIDENTS OF FORSYTH COUNTY AND SURROUNDING AREA

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

- MORE -

5:45 pm EDT THE PRESIDENT DEPARTS GRANDSTAND AREA, BOARDS MOTORCADE AND DEPARTS DIXIE CLASSIC FAIRGROUNDS ENROUTE TANGLEWOOD PARK CLUBHOUSE, CLEMMONS, NORTH CAROLINA

Press Pool Coverage

6:10 pm EDT THE PRESIDENT ARRIVES TANGLEWOOD PARK CLUBHOUSE AND PROCEEDS INSIDE FOR PERSONAL/STAFF TIME

Press Pool Coverage

6:20 pm EDT THE PRESIDENT PROCEEDS TO LAWN FOR CARTER/MONDALE FUNDRAISING RECEPTION

PRESIDENTIAL REMARKS

Brief Photo Opportunity
Press Pool Coverage

6:50 pm EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS TANGLEWOOD PARK CLUBHOUSE ENROUTE SMITH REYNOLDS AIRPORT, WINSTON-SALEM, NORTH CAROLINA

Press Pool Coverage

7:30 pm EDT THE PRESIDENT ARRIVES SMITH REYNOLDS AIRPORT, PIEDMONT CARGO AREA, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE TALLAHASSEE, FLORIDA

Press Pool Coverage

7:35 pm EDT PAA press plane departs Smith Reynolds Airport, Winston-Salem, North Carolina enroute Tallahassee, Florida

(Flying Time: 1 hour, 15 minutes)
(No Time Change)

8:50 pm EDT PAA press plane arrives Tallahassee, Florida

PRESS NOTE: Press Filing Center located
Best Western, basement leve.
Press will RON at Best
Western & Tallahassee Hilton

9:05 pm EDT THE PRESIDENT ARRIVES TALLAHASSEE, FLORIDA

THE PRESIDENT IS SCHEDULED TO ATTEND A FUNDRAISING DINNER FOR DEMOCRATIC MEMBERS OF THE STATE HOUSE OF REPRESENTATIVES. ON FRIDAY IN TALLAHASSEE THE PRESIDENT WILL SIGN H.R. 7859, THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980.

THE PRESIDENT WILL REMAIN OVERNIGHT IN TALLAHASSEE AND DEPART THE FOLLOWING MORNING FOR ST. PETERSBURG, FLORIDA WHERE HE WILL MEET WITH SENIOR CITIZENS.

THE PRESIDENT IS EXPECTED TO RETURN TO THE WHITE HOUSE EARLY FRIDAY AFTERNOON

#

FOR YOUR GUIDANCE ONLY

OCTOBER 9, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
TRI-CITIES AREA AND NASHVILLE, TENNESSEE,
WINSTON-SALEM, NORTH CAROLINA AND
TALLAHASSEE AND ST. PETERSBURG, FLORIDA

October 9 - 10, 1980

7:00 am EDT Press check-in Andrews Air Force Base

7:30 am EDT Pan American Airlines press plane departs
Andrews Air Force Base enroute Tri-City Municipal
Airport, Tennessee

(Flying Time: 1 hour, 15 minutes)
(No Time Change)

8:00 am EDT Air Force One pool check-in Andrews Air Force Base

8:00 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE
HOUSE ENROUTE ANDREWS AIR FORCE BASE

8:20 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR FORCE
ONE AND DEPARTS ENROUTE TRI-CITIES MUNICIPAL AIRPORT, TENNESSEE

Press Pool #1 accompanies

8:45 am EDT PAA press plane arrives Tri-Cities Municipal Airport,
Gate #4, Tennessee

LEAD PRESS ADVANCE: Jackie Dennis

Airport Press Facilities: 2 mults
Flatbed

PRESS NOTE: PAA press plane will serve
as PFC in Bristol

PAA Press Plane Facilities: 16 LDs
PA
Runners

9:00 am EDT Press Pool #2 assembles in airport press area

9:25 am EDT THE PRESIDENT ARRIVES TRI-CITIES MUNICIPAL AIRPORT, GATE #6,
AND PROCEEDS TO SOUTH END OF TERMINAL BUILDING FOR UPPER EAST
TENNESSEE CARTER/MONDALE RALLY

Press Pool #2 Coverage

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

Introduction of the President by Senator James Sasser

9:40 am EDT PRESIDENTIAL REMARKS

 OPEN PRESS COVERAGE

9:55 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS SOUTH END TERMINAL
BUILDING AND PROCEEDS TO MOTORCADE

 Press Pool #2 Coverage

10:10 am EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS TRI-CITIES MUNICIPAL
AIRPORT ENROUTE OLD DEERY INN, BLOUNTVILLE, TENNESSEE

 Press Pool #2 follows

10:25 am EDT THE PRESIDENT ARRIVES OLD DEERY INN, BLOUNTVILLE, TENNESSEE
AND PROCEEDS INSIDE FOR PERSONAL/STAFF TIME

10:30 am EDT THE PRESIDENT PROCEEDS TO BACKYARD FOR DEMOCRATIC NATIONAL
COMMITTEE FUNDRAISING RECEPTION

Introduction of the President by Senator James Sasser

10:40 am EDT PRESIDENTIAL REMARKS

 Press Pool #2 Coverage

Press Facilities: Mult

10:45 am EDT REMARKS CONCLUDE. THE PRESIDENT PROCEEDS TO MOTORCADE

 Press Pool #2 Coverage

11:00 am EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS OLD DEERY INN
ENROUTE TRI-CITIES MUNICIPAL AIRPORT

 Press Pool #2 follows

11:20 am EDT THE PRESIDENT ARRIVES TRI-CITIES MUNICIPAL AIRPORT, BOARDS
AIR FORCE ONE AND DEPARTS ENROUTE NASHVILLE, TENNESSEE

 Press Pool #3 accompanies

11:25 am EDT PAA press plane departs Tri-Cities Municipal Airport
enroute Nashville, Tennessee

 (Flying Time: 50 minutes)
 (Time Change: Plus 1 hour)

11:15 am CDT PAA press plane arrives Berry Field, Air National Guard
(12:15 pm EDT) Ramp, Nashville, Tennessee

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

LEAD PRESS ADVANCE: Gael Doar

Airport Press Facilities: 4 LDs
Flatbed

PRESS NOTE: Press Filing Center located
in Building Plaza #721,
Air National Guard Ramp,
Berry Field

Press Filing Center Facilities: 16 LDs
Mult
Telex
PA

11:20 am CDT Press Pool #4 assembles in airport press area
(12:20 pm EDT)

11:30 am CDT THE PRESIDENT ARRIVES BERRY FIELD, AIR NATIONAL GUARD RAMP,
(12:30 pm EDT) NASHVILLE, TENNESSE

THE PRESIDENT WILL BE GREETED BY:

Major General Carl D. Wallace, National Guard Armory
Colonel James R. Roberts, Vice Commander
Mayor Richard Fulton, City of Nashville
Mr. William Snodgrass, State Comptroller
Mr. Harlan Matthews, State Treasurer
Mr. Gentry Crowell, Secretary of State
Mr. William Leech, State Attorney General
Mr. Joe Evins, Former U.S. Congressman
Mr. C. B. Robinson, State Representative

OPEN PRESS COVERAGE

11:40 am CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS ENROUTE GRAND OLE
(12:40 pm EDT) OPRY, OPRYLAND PARK, NASHVILLE, TENNESSEE

Press Pool #4 and Press Buses #1, #2 and #3 follow

11:50 am CDT THE PRESIDENT ARRIVES GRAND OLE OPRY AND PROCEEDS INSIDE TO
(12:50 pm EDT) PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #4 Coverage

12:00 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO STAGE, GRAND
(1:00 pm EDT) OLE OPRY, FOR TOWN HALL MEETING WITH AREA RESIDENTS

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

Press Facilities: 10 LDs
Mult
PA'd to PFC

1:00 pm CDT TOWN HALL MEETING CONCLUDES. THE PRESIDENT DEPARTS STAGE AND
(2:00 pm EDT) PROCEEDS TO MOTORCADE

Press Pool #4 Coverage

1:10 pm CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS GRAND OLE OPRY
(2:10 pm EDT) ENROUTE OPRYLAND HOTEL, NASHVILLE, TENNESSEE

Press Pool #4 follows

1:15 pm CDT THE PRESIDENT ARRIVES OPRYLAND HOTEL AND PROCEEDS INSIDE TO
(2:15 pm EDT) PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #4 Coverage

1:15 pm CDT Press Buses #1, #2 and #3 depart Grand Ole Opry enroute
(2:15 pm EDT) Berry Field, Building Plaza #721

1:20 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO KNOXVILLE
(2:20 pm EDT) ROOM FOR CARTER/MONDALE FUNDRAISING RECEPTION

Introduction of the President by Mr. Tom T. Hall

PRESIDENTIAL REMARKS

Press Pool #4 Coverage

Press Facilities: Mult
PA'd to PFC

1:25 pm CDT Press Buses #1, #2 and #3 arrive Berry Field,
(2:25 pm EDT) Building Plaza #721

2:05 pm CDT THE PRESIDENT DEPARTS KNOXVILLE ROOM, BOARDS MOTORCADE AND
(3:05 pm EDT) DEPARTS OPRYLAND HOTEL ENROUTE BERRY FIELD, NASHVILLE,
TENNESSEE

Press Pool #4 follows

2:20 pm CDT THE PRESIDENT ARRIVES BERRY FIELD, AIR NATIONAL GUARD RAMP,
(3:20 pm EDT) BOARDS AIR FORCE ONE AND DEPARTS ENROUTE WINSTON-SALEM,
NORTH CAROLINA

Press Pool #5 accompanies

2:25 pm CDT PAA press plane departs Berry Field, Nashville, Tennessee
(3:25 pm EDT) enroute Winston-Salem, North Carolina

(Flying Time: 1 hour)
(Time Change: Plus 1 hour)

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

4:25 pm EDT PAA press plane arrives Smith Reynolds Airport, Piedmont Cargo Area, Winston-Salem, North Carolina

LEAD PRESS ADVANCE: Sharon Metcalf

PRESS NOTE: Press Filing Center located in Piedmont Cargo Building. Members of press wishing to pre-position at Fairgrounds should board Press Bus #1 immediately upon arrival.

Press Filing Center Facilities: 16 LDs
Mult
PA
TV monitors
Runners

4:30 pm EDT Press Bus #1 departs Smith Reynolds Airport enroute Dixie Classic Fairgrounds, Winston-Salem, North Carolina

4:35 pm EDT Press Pool #6 assembles in airport press area

4:40 pm EDT THE PRESIDENT ARRIVES SMITH REYNOLDS AIRPORT, PIEDMONT CARGO AREA, WINSTON-SALEM, NORTH CAROLINA

THE PRESIDENT WILL BE GREETED BY:

Governor James Hunt
Mayor Wayne Corpening, City of Winston-Salem
Senator Robert Morgan
Lieutenant Governor Jimmy Green
Congressman Ike Andrews
Congressman Steve Neal
Congressman Lamar Gudger
Former Governor Dan K. Moore
Mr. Thad Eure, Secretary of State
Mr. Rufus Edmisten, Attorney General

OPEN PRESS COVERAGE

4:45 pm EDT Press Bus #1 arrives Dixie Classic Fairgrounds

Press Facilities: 8 LDs
Mult
PA
Live local TV

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

4:50 pm EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS SMITH REYNOLDS AIRPORT ENROUTE DIXIE CLASSIC FAIRGROUNDS

Press Pool #6 and Press Buses #1, #2 and #3 follow

5:00 pm EDT THE PRESIDENT ARRIVES DIXIE CLASSIC FAIRGROUNDS AND PROCEEDS TO STAGE, GRANDSTAND AREA, FOR REMARKS TO RESIDENTS OF FORSYTH COUNTY AND SURROUNDING AREA

Introduction of the President by Governor James Hunt

5:15 pm EDT PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

5:40 pm EDT THE PRESIDENT DEPARTS GRANDSTAND AREA, BOARDS MOTORCADE AND DEPARTS DIXIE CLASSIC FAIRGROUNDS ENROUTE TANGLEWOOD PARK CLUBHOUSE, CLEMMONS, NORTH CAROLINA

Press Pool #6 follows

5:50 pm EDT Press Buses #1, #2 and #3 depart Dixie Classic Fairgrounds enroute Smith Reynolds Airport

6:05 pm EDT Press Buses #1, #2 and #3 arrive Smith Reynolds Airport

6:05 pm EDT THE PRESIDENT ARRIVES TANGLEWOOD PARK CLUBHOUSE AND PROCEEDS INSIDE FOR PERSONAL/STAFF TIME

Press Pool #6 Coverage

6:10 pm EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO LAWN FOR CARTER/MONDALE FUNDRAISING RECEPTION

6:15 pm EDT PRESIDENTIAL REMARKS

Brief Photo Opportunity
Press Pool #6 Coverage

Press Facilities: Mult
PA'd to PFC
Live local TV

PRESS NOTE: Members of pool proceed to Clubhouse Grill after remarks. 4 LDs available.

6:50 pm EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS TANGLEWOOD PARK CLUBHOUSE ENROUTE SMITH REYNOLDS AIRPORT

Press Pool #6 follows

- MORE -

THURSDAY, OCTOBER 9, 1980 (con't)

7:25 pm EDT THE PRESIDENT ARRIVES SMITH REYNOLDS AIRPORT, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE TALLAHASSEE, FLORIDA

Press Pool #7 accompanies22

7:35 pm EDT PAA press plane departs Smith Reynolds Airport, Winston-Salem, North Carolina enroute Tallahassee, Florida

(Flying Time: 1 hour, 15 minutes)
(No Time Change)

8:50 pm EDT PAA press plane arrives Tallahassee Memorial Airport, North Ramp, Gate 13, Tallahassee, Florida

LEAD PRESS ADVANCE: Rick Moore

Airport Press Facilities: 4 LDs
Flatbed

8:55 pm EDT Press Bus #3 departs Tallahassee Memorial Airport enroute Press Filing Center, Best Western Hotel

8:55 pm EDT Press Pool #8 assembles in airport press area

9:00 pm EDT THE PRESIDENT ARRIVES TALLAHASSEE MEMORIAL AIRPORT, TALLAHASSEE, FLORIDA

OPEN PRESS COVERAGE

9:10 pm EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS TALLAHASSEE MEMORIAL AIRPORT ENROUTE NORTH FLORIDA FAIRGROUNDS, TALLAHASSEE, FLORIDA

Press Pool #8 and Press Buses #1 and #2 follow

9:25 pm EDT THE PRESIDENT ARRIVES NORTH FLORIDA FAIRGROUNDS AND PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #8 Coverage

9:25 pm EDT Press Bus #3 arrives Best Western Hotel

PRESS NOTE: Room keys available at
front desk of Best Western
& Tallahassee Hilton Hotels.

Press Filing Center Facilities: 15 LDs
Mult
PA
Telex

THURSDAY, OCTOBER 9, 1980 (con't)

9:30 pm EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO STAGE FOR
REMARKS TO THE STATE DEMOCRATIC HOUSE NOMINEES FUNDRAISING
FISH FRY

Introduction of the President by Governor Robert Graham

9:35 pm EDT PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

Press Facilities: 8 LDs
Mult
Power

9:45 pm EDT REMARKS CONCLUDE. THE PRESIDENT PROCEEDS TO MOTORCADE

Press Pool #8 Coverage

9:55 pm EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS NORTH FLORIDA
FAIRGROUNDS ENROUTE GOVERNOR'S MANSION

Press Pool #8 follows

10:00 pm EDT Press Buses #1 and #2 depart North Florida Fairgrounds
enroute Best Western and Tallahassee Hilton Hotels

10:05 pm EDT THE PRESIDENT ARRIVES GOVERNOR'S MANSION AND PROCEEDS INSIDE
TO REMAIN OVERNIGHT

Press Pool #8 Coverage

10:20 pm EDT Press Buses #1 and #2 arrive Best Western Hotel and
continue to Tallahassee Hilton Hotel

FRIDAY, OCTOBER 10, 1980

BAGGAGE CALL: 6:30 am - 7:00 am in lobby of each hotel

* * *

FOR YOUR GUIDANCE ONLY

OCTOBER 9, 1980

Office of the White House Press Secretary
(Tallahassee, Florida)

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
TRI-CITIES AREA AND NASHVILLE, TENNESSEE,
WINSTON-SALEM, NORTH CAROLINA AND
TALLAHASSEE AND ST. PETERSBURG, FLORIDA

October 9 - 10, 1980

FRIDAY, OCTOBER 10, 1980

BAGGAGE CALL: 6:30 - 7:00 a.m. in lobby of each hotel

7:00 a.m. EDT Press Bus #1 departs Tallahassee Hilton Hotel
en route State Capitol for pre-positioning
(will return to Hilton and depart again at
7:30 a.m.)

7:10 a.m. EDT Press Bus #1 arrives State Capitol

7:15 a.m. EDT Press pool #9 assembles in Press Filing Center,
Best Western Hotel, and departs en route
Governor's Mansion

7:30 a.m. EDT Press pool #9 arrives Governor's Mansion

7:30 a.m. EDT Press Buses #2 & #3 depart Best Western Hotel
en route State Capitol; Press Bus #1 departs
Tallahassee Hilton en route State Capitol

7:40 a.m. EDT Press buses #1, #2, & #3 arrive State Capitol

7:50 a.m. EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS GOVERNOR'S
MANSION EN ROUTE STATE CAPITOL, TALLAHASSEE, FLORIDA

Press Pool #9 follows

OCTOBER 10, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
NEW YORK, NEW YORK, MARION, ILLINOIS
AND ST. LOUIS, MISSOURI

SUMMARY SCHEDULE

October 13, 1980

Weather: NY-mostly cloudy, IL & MO -clear skies, Temperature Range: 42-67

8:00 am EDT Press check-in Andrews Air Force Base

8:30 am EDT Pan American Airlines press plane departs Andrews Air Force Base enroute John F. Kennedy International Airport, New York, New York

(Flying Time: 45 minutes)
(No Time Change)

9:00 am EDT Air Force One pool check-in Andrews Air Force Base

9:10 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE HOUSE ENROUTE ANDREWS AIR FORCE BASE

9:15 am EDT PAA press plane arrives John F. Kennedy International Airport, Pan American Airways Ramp, New York, New York

PRESS NOTE: PAA press plane will serve
as PFC in New York

9:30 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE JOHN F. KENNEDY INTERNATIONAL AIRPORT, NEW YORK, NEW YORK

Press Pool Coverage

10:15 am EDT THE PRESIDENT ARRIVES JOHN F. KENNEDY INTERNATIONAL AIRPORT,
PAN AMERICAN AIRWAYS RAMP, NEW YORK, NEW YORK, BOARDS MOTORCADE
AND DEPARTS ENROUTE FOREST HILLS JEWISH COMMUNITY CENTER,
QUEENS, NEW YORK

Press Pool Coverage

10:30 am EDT THE PRESIDENT ARRIVES FOREST HILLS JEWISH COMMUNITY CENTER AND PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

- MORE -

10:35 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO BALLROOM
STAGE FOR MEETING WITH COMMUNITY AND CIVIC LEADERS

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

11:10 am EDT THE PRESIDENT DEPARTS STAGE AND PROCEEDS TO PRIVATE ROOM FOR
PERSONAL/STAFF TIME

11:15 am EDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS FOREST HILLS JEWISH
COMMUNITY CENTER ENROUTE NEW YORK PUBLIC LIBRARY, NEW YORK,
NEW YORK

Press Pool Coverage

11:40 am EDT THE PRESIDENT ARRIVES NEW YORK PUBLIC LIBRARY AND PROCEEDS TO
STEPS, FIFTH AVENUE ENTRANCE TO SIGN H.J. RESOLUTION 568 AND
PROCLAMATION OF ITALIAN/AMERICAN HERITAGE WEEK

PRESIDENTIAL REMARKS

Press Pool Coverage

11:55 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS STEPS AND PROCEEDS TO
PRIVATE ROOM FOR PERSONAL/STAFF TIME

12:00 pm EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO COLUMBUS
DAY PARADE STAGING AREA

Press Pool Coverage

12:05 pm EDT THE PRESIDENT ARRIVES STAGING AREA AND BEGINS PARADE WALK

Press Pool Coverage

12:50 pm EDT THE PRESIDENT ARRIVES PARADE REVIEWING STAND AREA, BOARDS
MOTORCADE AND DEPARTS ENROUTE WEST 30TH STREET HELIPORT,
NEW YORK, NEW YORK

Press Pool Coverage

1:05 pm EDT THE PRESIDENT ARRIVES WEST 30TH STREET HELIPORT, BOARDS MARINE
ONE AND DEPARTS ENROUTE JOHN F. KENNEDY INTERNATIONAL AIRPORT

Press Pool Coverage

1:30 pm EDT THE PRESIDENT ARRIVES JOHN F. KENNEDY INTERNATIONAL AIRPORT,
PAN AMERICAN AIRWAYS RAMP, BOARDS AIR FORCE ONE AND DEPARTS
ENROUTE MARION, ILLINOIS

Press Pool Coverage

1:35 pm EDT PAA press plane departs John F. Kennedy International
Airport enroute Marion, Illinois
- MORE -

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(Flying Time: 2 hours, 15 minutes)
(Time Change: Plus 1 hour)

2:50 pm CDT PAA press plane arrives Williamson County Airport,
Marion, Illinois

PRESS NOTE: PAA press plane will serve
as PFC in Marion

3:05 pm CDT THE PRESIDENT ARRIVES WILLIAMSON COUNTY AIRPORT, MARION,
ILLINOIS, BOARDS MOTORCADE AND DEPARTS ENROUTE OLD BEN COAL
MINE #25, WEST FRANKFORT, ILLINOIS

Press Pool Coverage

3:45 pm CDT THE PRESIDENT ARRIVES OLD BEN COAL MINE #25 AND PROCEEDS INTO
MINE FOR TOUR

Press Pool Coverage

4:00 pm CDT TOUR CONCLUDES. THE PRESIDENT PROCEEDS OUTSIDE FOR REMARKS TO
MINERS AND EMPLOYEES OF OLD BEN #25

PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

4:20 pm CDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS SPEECH SITE, BOARDS
MOTORCADE AND DEPARTS OLD BEN COAL MINE #25, ENROUTE WILLIAMSON
COUNTY AIRPORT, MARION, ILLINOIS

Press Pool Coverage

4:50 pm CDT THE PRESIDENT ARRIVES WILLIAMSON COUNTY AIRPORT AND PROCEEDS
INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

5:55 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM, BOARDS AIR FORCE ONE AND
DEPARTS WILLIAMSON COUNTY AIRPORT ENROUTE ST. LOUIS, MISSOURI

Press Pool Coverage

6:00 pm CDT PAA press plane departs Williamson County Airport enroute
St. Louis, Missouri

(Flying Time: 35 minutes)
(No Time Change)

- MORE -

6:35 pm CDT PAA press plane arrives Lambert Airport, Rockwell International Hangar #6, St. Louis, Missouri

PRESS NOTE: Press Filing Center located in Room 218, University of Missouri at St. Louis

7:00 pm CDT THE PRESIDENT ARRIVES LAMBERT AIRPORT, ROCKWELL INTERNATIONAL HANGAR #6, ST. LOUIS, MISSOURI

Press Pool Coverage

7:10 pm CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS LAMBERT AIRPORT ENROUTE UNIVERSITY OF MISSOURI AT ST. LOUIS, ST. LOUIS, MISSOURI

Press Pool Coverage

7:20 pm CDT THE PRESIDENT ARRIVES UNIVERSITY OF MISSOURI AT ST. LOUIS GYMNASIUM AND PROCEEDS INSIDE TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool Coverage

7:30 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO GYMNASIUM STAGE FOR TOWN HALL MEETING WITH AREA RESIDENTS

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

8:30 pm CDT TOWN HALL MEETING CONCLUDES. THE PRESIDENT DEPARTS STAGE, BOARDS MOTORCADE AND DEPARTS UNIVERSITY OF MISSOURI AT ST. LOUIS GYMNASIUM ENROUTE LAMBERT AIRPORT

Press Pool Coverage

8:50 pm CDT THE PRESIDENT ARRIVES LAMBERT AIRPORT, ROCKWELL INTERNATIONAL HANGAR #6, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE ANDREWS AIR FORCE BASE

Press Pool Coverage

9:50 pm CDT PAA press plane departs Lambert Airport, St. Louis, Missouri enroute Andrews Air Force Base
(Flying Time: 1 hour, 40 minutes)
(Time Change: Minus 1 hour)

11:35 pm EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS MARINE ONE AND DEPARTS ENROUTE THE WHITE HOUSE

11:50 pm EDT THE PRESIDENT ARRIVES THE WHITE HOUSE

12:30 am EDT PAA press plane arrives Andrews Air Force Base

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FOR YOUR GUIDANCE ONLY

OCTOBER 13, 1980

Office of the White House Press Secretary

NOTICE TO THE PRESS

TRIP OF THE PRESIDENT TO
NEW YORK, NEW YORK, MARION, ILLINOIS
AND ST. LOUIS, MISSOURI

October 13, 1980

8:00 am EDT Press check-in Andrews Air Force Base

8:30 am EDT Pan American Airlines press plane departs Andrews Air
Force Base enroute John F. Kennedy International Airport
New York, New York

 (Flying Time: 45 minutes)
 (No Time Change)

9:00 am EDT Air Force One pool check-in Andrews Air Force Base

9:00 am EDT THE PRESIDENT BOARDS MARINE ONE AND DEPARTS THE WHITE
HOUSE ENROUTE ANDREWS AIR FORCE BASE

9:15 am EDT PAA press plane arrives John F. Kennedy International
Airport, Pan American Hangar #17

LEAD PRESS ADVANCE: Larry Walsh

Airport Press Facilities: 3 LDs

PRESS NOTE: PAA press plane will serve
 as PFC in New York

Press Plane Facilities: 16 LDs
 PA
 Runners available

9:20 am EDT THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS AIR FORCE
ONE AND DEPARTS ENROUTE JOHN F. KENNEDY INTERNATIONAL AIRPORT,
NEW YORK, NEW YORK

 Press Pool #1 accompanies

9:25 am EDT Press Pool #2 assembles in airport press area

9:25 am EDT Press Buses #1, #2 and #3 depart John F. Kennedy
International Airport enroute Forest Hills Jewish
Community Center, Queens, New York

9:55 am EDT Press Buses #1, #2 and #3 arrive Forest Hills Jewish
Community Center

- MORE -

10:05 am EDT THE PRESIDENT ARRIVES JOHN F. KENNEDY INTERNATIONAL AIRPORT,
PAN AMERICAN AIRWAYS RAMP, NEW YORK, NEW YORK, BOARDS MOTORCA
AND DEPARTS ENROUTE FOREST HILLS JEWISH COMMUNITY CENTER,
QUEENS, NEW YORK

Press Pool #2 follows

10:20 am EDT THE PRESIDENT ARRIVES FOREST HILLS JEWISH COMMUNITY CENTER AN
PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

THE PRESIDENT WILL BE GREETED BY:
Rabbi Eorzine Bokser, Forest Hills Jewish Community Center
Mr. Edwin Berger, President, FHJCC
Congresswoman Geraldine Ferraro
Congressman Benjamin Rosenthal
Mr. Allan Heverssi, State Assemblyman

Press Pool #2 Coverage

10:30 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO BALLROOM
STAGE FOR MEETING WITH COMMUNITY AND CIVIC LEADERS

Introduction of the President by Senator Henry Jackson

10:40 am EDT PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

Press Facilities: 12 LDs
Mult
PA'd to PFC
TV monitors

11:00 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS BALLROOM STAGE AND
PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

11:15 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM, BOARDS MOTORCADE AND
DEPARTS FOREST HILLS JEWISH COMMUNITY CENTER ENROUTE NEW YORK
PUBLIC LIBRARY, NEW YORK, NEW YORK

Press Pool #2 follows

11:20 am EDT Press Bus #1 departs Forest Hills Jewish Community Cent
enroute John F. Kennedy International Airport

PRESS NOTE: Press Buses #2 and #3 wil
remain at Jewish Communit
Center for those members
press wishing to watch th
Columbus Day Parade on TV
monitors in ballroom pres
area

- MORE -

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11:40 am EDT THE PRESIDENT ARRIVES NEW YORK PUBLIC LIBRARY AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

THE PRESIDENT WILL BE GREETED BY:

Mayor Edward Koch, City of New York
Mr. John LoConsola, 1st Vice President, Columbus Society
Mr. Joseph Carlino, President, Columbus Society

Press Pool #2 Coverage

11:45 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM, PROCEEDS TO STAGE AREA, NEW YORK PUBLIC LIBRARY STEPS, TO SIGN H.J. RESOLUTION 568 AND PROCLAMATION OF ITALIAN/AMERICAN HERITAGE WEEK

PRESIDENTIAL REMARKS

Press Pool #2 Coverage

Press Facilities: 6 LDs

Mult
PA'd to PAA press plane
PA'd to Jewish Community
Center

11:50 am EDT Press Bus #1 arrives John F. Kennedy International Airport

11:55 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS STEPS AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

PRESS NOTE: Press Pool #2 immediately
proceeds to flatbed truck,
Fifth Avenue & 43rd Street

12:00 pm EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO COLUMBUS DAY PARADE STAGING AREA, FIFTH AVENUE AND 43RD STREET

12:05 pm EDT THE PRESIDENT ARRIVES STAGING AREA AND PROCEEDS NORTH ON FIFTH AVENUE IN COLUMBUS DAY PARADE

Press Pool #2 Coverage

12:45 pm EDT THE PRESIDENT ARRIVES PARADE REVIEWING STAND AREA, FIFTH AVENUE AND 69TH STREET, BOARDS MOTORCADE AND DEPARTS ENROUTE WEST 30TH STREET HELIPORT

Press Pool #2 follows

12:50 pm EDT Press Buses #2 and #3 depart Forest Hills Jewish Community Center enroute John F. Kennedy International Airport

- MORE -

1:05 pm EDT THE PRESIDENT ARRIVES WEST 30TH STREET HELIPORT, BOARDS MARINE ONE AND DEPARTS ENROUTE JOHN F. KENNEDY INTERNATIONAL AIRPORT

Press Pool #2 follows

PRESS NOTE: Press Pool #2 immediately boards Nighthawk 3 & 4. TV crews and lighting tech board Nighthawk 4, all others board Nighthawk 3.

1:20 pm EDT Press Buses #2 and #3 arrive Pan American Hangar #17, John F. Kennedy International Airport

1:30 pm EDT THE PRESIDENT ARRIVES JOHN F. KENNEDY INTERNATIONAL AIRPORT, BOARDS AIR FORCE ONE AND DEPARTS ENROUTE MARION, ILLINOIS

Press Pool #3 accompanies

1:35 pm EDT PAA press plane departs John F. Kennedy International Airport enroute Marion, Illinois

(Flying Time: 2 hours, 15 minutes)
(Time Change: Plus 1 hour)

2:50 pm CDT PAA press plane arrives Williamson County Airport, Marion, Illinois
(3:50 pm EDT)

LEAD PRESS ADVANCE: Steve Leroy

Airport Press Facilities: 3 LDs
Flatbed

PRESS NOTE: PAA press plane will serve as PFC in Marion

3:00 pm CDT Press Pool #4 assembles in airport press area
(4:00 pm EDT)

3:05 pm CDT THE PRESIDENT ARRIVES WILLIAMSON COUNTY AIRPORT, MARION, ILLINOIS
(4:05 pm EDT)

THE PRESIDENT WILL BE GREETED BY:
Mr. Jerry Cosentino, State Treasurer
Mr. Roland Burris, State Comptroller
Mr. Gene John, State Senator
Mr. Ken Buzbee, State Senator

OPEN PRESS COVERAGE

3:10 pm CDT THE PRESIDENT BOARDS MOTORCADE AND DEPARTS WILLIAMSON COUNTY AIRPORT ENROUTE OLD BEN COAL MINE #25, WEST FRANKFORT, ILLINOIS
(4:10 pm EDT)

Press Pool #4 and Press Buses #1, #2 and #3 follow

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3:45 pm CDT THE PRESIDENT ARRIVES OLD BEN COAL MINE #25 AND PROCEEDS TO
(4:45 pm EDT) PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #4 Coverage

3:50 pm CDT Press Pool #4 proceeds into mine for pre-positioning of
(4:50 pm EDT) tour

3:50 pm CDT Press Buses #1, #2 and #3 arrive Old Ben Coal Mine #25
(4:50 pm EDT) speech site

3:55 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS INSIDE MINE
(4:55 pm EDT) FOR TOUR

Press Pool #4 Coverage

4:05 pm CDT TOUR CONCLUDES. THE PRESIDENT PROCEEDS TO PRIVATE ROOM FOR
(5:05 pm EDT) PERSONAL/STAFF TIME

4:10 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO SPEECH SITE
(5:10 pm EDT) FOR REMARKS TO MINERS AND EMPLOYEES OF OLD BEN COAL MINE #25

4:20 pm CDT PRESIDENTIAL REMARKS
(5:20 pm EDT)

OPEN PRESS COVERAGE

Press Facilities: 3 LDs
2 mults
PA'd to PAA press plane

4:35 pm CDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS SPEECH SITE, BOARDS
(5:35 pm EDT) MOTORCADE AND DEPARTS ENROUTE BAN DOR MOTOR INN, MARION,
ILLINOIS

Press Pool #4 and Press Bus #1 follow

4:40 pm CDT Press Buses #2 and #3 depart Old Ben Coal Mine #25
(5:40 pm EDT) enroute Williamson County Airport

5:05 pm CDT THE PRESIDENT ARRIVES BAN DOR MOTOR INN AND PROCEEDS INSIDE
(6:05 pm EDT) TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

Press Pool #4 Coverage

5:10 pm CDT Press Buses #2 and #3 arrive Williamson County Airport
(6:10 pm EDT)

5:30 pm CDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO BALLROOM
(6:30 pm EDT) STAGE FOR REMARKS TO CARTER/MONDALE SUPPORTERS

5:40 pm CDT PRESIDENTIAL REMARKS
(6:40 pm EDT)

OPEN PRESS COVERAGE

Press Facilities: 4 LDs
2 mults
PA'd to PAA press plane

- MORE -

1851

5:50 pm CDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS BALLROOM STAGE, BOARDS
(6:50 pm EDT) MOTORCADE AND DEPARTS BAN DOR MOTOR INN ENROUTE WILLIAMSON
COUNTY AIRPORT

Press Pool #4 and Press Bus #1 follow

6:05 pm CDT THE PRESIDENT ARRIVES WILLIAMSON COUNTY AIRPORT, BOARDS AIR
(7:05 pm EDT) FORCE ONE AND DEPARTS ENROUTE ST. LOUIS, MISSOURI

Press Pool #5 accompanies

6:10 pm CDT FAA press plane departs Williamson County Airport enroute
(7:10 pm EDT) St. Louis, Missouri

(Flying Time: 35 minutes)
(No Time Change)

6:45 pm CDT PAA press plane arrives Lambert Airport, Rockwell
(7:45 pm EDT) International Hangar #6, St. Louis, Missouri

LEAD PRESS ADVANCE: Steve Ogg

Airport Press Facilities: 10 LDs
Flatbed

PRESS NOTE: Press Filing Center located
in Room 218, Mark Twain
Building, University of
Missouri at St. Louis

Press Filing Center Facilities: 15 LDs
Mult
TV monitors

6:50 pm CDT Press Pool #6 assembles in airport press area
(7:50 pm EDT)

7:00 pm CDT THE PRESIDENT ARRIVES LAMBERT AIRPORT, ROCKWELL INTERNATIONAL
(8:00 pm EDT) HANGAR #6, ST. LOUIS, MISSOURI

THE PRESIDENT WILL BE GREETED BY:
Governor and Mrs. Joseph Teasdale
Mayor James F. Conway, City of St. Louis
Senator Thomas F. Eagleton
Congressman Richard A. Gephardt
Congressman Bill Burlison
Congressman Harold Volkmer
Mr. James C. Kirkpatrick, Secretary of State
Mr. James I. Spainhower, State Treasurer
Mayor Carl Officer, City of East St. Louis
Ms. Harriet Woods, State Senator
Mr. George Corcoran, President, St. Louis
City Council

OPEN PRESS COVERAGE

7:10 pm CDT
(8:10 pm EDT)

THE PRESIDENT BOARDS MOTORCADE AND DEPARTS LAMBERT AIRPORT
ENROUTE UNIVERSITY OF MISSOURI AT ST. LOUIS

Press Pool #6 and Press Buses #1, #2 and #3 follow

7:20 pm CDT
(8:20 pm EDT)

THE PRESIDENT ARRIVES UNIVERSITY OF MISSOURI AT ST. LOUIS,
MARK TWAIN BUILDING, AND PROCEEDS INSIDE TO PRIVATE ROOM FOR
PERSONAL/STAFF TIME

Press Pool #6 Coverage

7:30 pm CDT
(8:30 pm EDT)

THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO GYMNASIUM
STAGE FOR TOWN HALL MEETING WITH AREA RESIDENTS

Introduction of the President by Senator Thomas Eagleton

PRESIDENTIAL REMARKS

QUESTION AND ANSWER SESSION

OPEN PRESS COVERAGE

Press Facilities: 4 LDs
Mult
Riser

8:35 pm CDT
(9:35 pm EDT)

TOWN HALL MEETING CONCLUDES. THE PRESIDENT DEPARTS GYMNASIUM,
BOARDS MOTORCADE AND DEPARTS UNIVERSITY OF MISSOURI AT ST.
LOUIS ENROUTE LAMBERT AIRPORT

Press Pool #6 follows

8:55 pm CDT
(9:55 pm EDT)

THE PRESIDENT ARRIVES LAMBERT AIRPORT, BOARDS AIR FORCE ONE AN
DEPARTS ENROUTE ANDREWS AIR FORCE BASE

Press Pool #7 accompanies

9:45 pm CDT
(10:45 pm EDT)

Press Buses #1, #2 and #3 depart University of Missouri
at St. Louis enroute Lambert Airport

10:00 pm CDT
(11:00 pm EDT)

Press Buses #1, #2 and #3 arrive Lambert Airport

10:10 pm CDT
(11:10 am EDT)

PAA press plane departs Lambert Airport enroute Andrews
Air Force Base

(Flying Time: 1 hour, 40 minutes)
(Time Change: Minus 1 hour)

11:40 pm EDT

THE PRESIDENT ARRIVES ANDREWS AIR FORCE BASE, BOARDS MARINE
ONE AND DEPARTS ENROUTE THE WHITE HOUSE

11:55 pm EDT

THE PRESIDENT ARRIVES THE WHITE HOUSE

12:50 am EDT PAA press plane arrives Andrews Air Force Base

‡ ‡ ‡

1853

6 September 1980

TO: PAUL MANAFORT
FROM: JERRY CARMEN
SUBJECT: CONFIDENTIAL-CARTER IN SOUTH

Our sources tell us that Jimmy Carter will be in Corpus Christi, Houston at the DNC, Roswell, Georgia at a high school event and several fundraisers in that area on September 15th.

On September 16 he will be at Hartsfield, Georgia at an airport dedication and then onto Cleveland for a fundraiser.

If you can arrange it, we would like a responsible intelligence person to attend these events and report to me immediately upon completion.

If possible, we would also like to have responsible, credible people in the area to comment to the press immediately upon the event.

We may be able to give them some direction and talking points based on the best information we have available.

JC/ym

1854

October 3, 1980

MEMORANDUM

TO: Bill Casey, Ed Messe, Bill Timmons, Tony Dolan,
Stef Halper

FROM: Bob M. Garrick *RMG* Director, Research & Policy

SUBJECT: Presidential Itinerary

Herewith is the schedule for President Carter on Monday, 6 October. Mid-morning he will arrive in Milwaukee, Wisconsin and visit the West Campus of Milwaukee Area Technology in a community by the name of West Alice. Mid-afternoon he goes to Chicago for a neighborhood meeting in Dupage County. Late afternoon he goes to a voter registration rally in Chicago and then to a Democrat National fundraiser, returning to Andrews approximately 10:00 p.m. (the exact times were not available).

x x x

RMG:jw

P.S. Through an unconfirmed source:

Carter and Kennedy will be in Fairfax, Va. on Tuesday, October 7 at the Woodburn Mental Health Clinic adjacent to the Fairfax Hospital to sign a bill (number not given).

1355

House Post Office and Civil Service Committee
Subcommittee on Human Resources

Name G.A. THOMPSON

The Subcommittee on Human Resources of the House Post Office and Civil Service Committee is investigating the unauthorized transfer of documents and information from the Carter Administration to the 1980 Reagan campaign. To assist the Subcommittee in its investigation, the Chairman requests that you answer the questions below and sign the statement certifying the correctness of your answers. Please complete and sign this form and return it within 2 days to the address below. If you have any questions or would rather meet with someone from the Subcommittee, please contact Mr. Jim Wiggins at (202) 225-0002.

1) Did you, or anyone you know of who worked in the Carter Administration or Carter campaign, have contacts either directly or indirectly with anyone in the 1980 Reagan or Anderson campaigns?

yes _____ no ✓

2) Did you, or anyone you know of, at any time take possession of Carter Administration or campaign material and transmit it either directly or indirectly to someone outside the Administration or Carter campaign in an unauthorized fashion?

yes _____ no ✓

3) Do you have any knowledge or information that to your knowledge has not been reported in the media regarding the possibly unauthorized transfer of documents or information from the Carter Administration or Carter campaign to persons not connected with the Carter Administration or campaign?

yes _____ no ✓

4) Did you ever see or have in your possession any materials that appear to you to be portions of either the foreign or domestic policy briefing materials prepared for President Carter during the 1980 campaign?

yes _____ no ✓

I certify my answers to the
above questions are true
and correct

G.A. Thompson 02-09-84
Signature Date

Current position or employment: US Secret Service Uniformed Division
Work telephone: 882 3200

Return to: Mr. Jim Wiggins
HOB Annex #1 Rm 511
Washington, D.C. 20515

1856

TO: Mr. Gandy, Bill Casey, Ed Moore

FROM: Don Jones

RE: Jimmy Carter's Schedule October 28-November 3

DATE: October 27, 1980

According to latest information from reliable White House
mole # 6:30 on October 27, the following is President Carter's
itinerary for the remainder of the campaign.

October 29	Pittsburg, Pennsylvania Rochester, New York Newark, New Jersey Philadelphia, Pennsylvania
October 30	Philadelphia, Pennsylvania New York, New York Bay City, Michigan St. Louis, Missouri Columbia, South Carolina
October 31	Columbia, South Carolina Lakeland, Florida Memphis, Tennessee Jackson, Mississippi Houston, Texas
November 1	Houston, Texas Brownsville, Texas San Antonio, Texas Abilene, Texas Fort Worth, Texas Chicago, Illinois
November 2	Chicago, Illinois Detroit, Michigan Philadelphia, Pennsylvania
November 3	Philadelphia, Pennsylvania Akron, Ohio St. Louis, Missouri Portland, Oregon Seattle, Washington
November 4	Georgia

Dupl. 26

D-282

***Attached is recent White House memo for certain economic information.

December 10, 1980

MEMORANDUM

TO: Pen James

FROM: Bob Garrick, |

Steve McCormick was exceptionally helpful to us during the campaign and provided considerable information out of the White House that we normally would not have been able to obtain.

He is a long-time Washington, D.C. representative for the Mutual Broadcasting System. He also did White House tours under six administrations for MBS. In building the White House press staff, he is an individual who I would recommend you look at closely.

x x x

..

cc: Jim Baker

Resume attached

Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 23, 1984

AG
202-693-2007

REPORT OF THE DEPARTMENT OF JUSTICE REGARDING THE CARTER DEBATE BRIEFING MATERIALS

In June of 1983 the Federal Bureau of Investigation commenced an intensive investigation into how certain briefing materials prepared for President Carter prior to the October 1980 Presidential Debate were obtained by individuals assisting the campaign of Ronald Reagan. This investigation has now been closed by the Criminal Division of the Department of Justice. Although every lead has been followed to its conclusion, the investigation has not been able to determine precisely how the briefing materials in question were transmitted. However, the investigation uncovered no credible evidence that the transfer violated any criminal law.

This report sets forth a description of the investigative process, a summary and analysis of the investigative results, and a discussion of the applicable law.

I. THE INVESTIGATION

In mid June of last year there were reports that briefing books prepared for President Carter were improperly obtained by Reagan aides just prior to the October 28, 1983 presidential debate. In response to both the many questions raised in the press and the President's specific request, on June 29, 1983 the Department requested the FBI to "conduct an appropriate investigation to ascertain how the materials were obtained and by whom."

From June 1983 to February 1984 the FBI, in coordination with the Public Integrity Section of the Criminal Division, has conducted an investigation into the circumstances of the briefing materials as well as several other related matters that arose during the investigation. Over 220 individuals including President Reagan and many other high officials of both the Carter and Reagan campaign were interviewed one or more times. Approximately one thousand boxes of documents, audio and video tapes were reviewed by the FBI including the Reagan campaign files, videotapes of the Debate preparations and hundreds of other documents relating to facts and circumstances in the investigation. In addition, where appropriate, forensic laboratory examinations of documents were conducted. All FBI interviews have been reviewed by and all documents acquired by the FBI in the course of the investigation have been provided to the House Subcommittee on Human Resources of the Post Office and Civil Service Committee.

II. INVESTIGATIVE RESULTS

A. Factual

1. Briefing Materials - The following has been established:

- a) The only Carter debate briefing materials which the evidence established to be in the possession of Reagan supporters prior to the debate were photocopies of a rough draft of foreign policy briefing material and photocopies of a draft of briefing material prepared for Vice President Mondale. While there is some uncertainty in the recollection of certain individuals as to what they saw, there is no firm evidence that the final Carter briefing books were ever in the possession of any Reagan aides prior to the debate.
- b) No government documents are among the briefing materials that were obtained by the Reagan campaign. They were drafts created for the Carter campaign. They were not produced on government time or at government expense, and they were based on public source material.
- c) No classified information was contained in the briefing materials.
- d) Few internal controls over the distribution and confidentiality of these materials existed within the Carter campaign. Most of the individuals with access to them, including many non-government secretaries, did not consider them particularly sensitive.
- e) Other than in assisting David Stockman in his preparation for the mock debates, there is no indication that the Reagan campaign utilized the draft material in question.
- f) All of the Reagan campaign officials who either possessed or were aware of the materials denied any knowledge of how they were originally obtained and any belief that the materials were stolen. In fact, there is no evidence that the material was stolen.
- g) No evidence was found of any plan or conspiracy by Reagan election officials to obtain the Carter briefing materials or any other confidential, internal Carter documents.

2. Other Documents: In the course of the investigation, the FBI reviewed thousands of documents from the files of the Reagan campaign and its officials. Several of these documents have been identified as internal documents of the Carter White House or the Carter campaign. In the case of each internal

Carter document found in Reagan campaign files, the FBI sought to ascertain by what means the documents were obtained. In no instance was there any evidence of theft or criminal misappropriation. In most instances the material in question had been widely disseminated to the press or others and were obtained through wholly proper channels. In some cases, it was impossible to determine how documents were obtained due to the professed lack of memory or knowledge on the part of those in possession of the documents. Regarding the internal Carter documents, there is no evidence that classified materials were improperly disseminated or that any criminal means were used to obtain any of the documents.

B. Analysis - In analyzing the investigative results the applicability of several criminal statutes have been considered. 18 U.S.C. § 641 prohibits theft of government property. There is no evidence of theft and the great weight of the evidence indicates that the briefing material was not "government property" as defined by the statute. Other Federal, District of Columbia and State theft statutes are likewise not implicated because of the absence of any evidence that documents were obtained by theft as opposed to other, lawful means.

Statutes prohibiting improper disclosure of classified information -- such as 18 U.S.C. §§ 793, 794, 798 or 50 U.S.C. § 783 -- are not implicated because there is no evidence that anyone disclosed classified information.

Federal Election Campaign Act statutes such as 2 U.S.C. § 441(h), which prohibits the "misrepresentation of campaign authority," is not applicable because there is no evidence that an agent for one campaign was in any way directed to work in the other campaign for improper purposes.

There are insufficient grounds to assume that any individual engaged in willful falsification or the obstruction of the investigation. No independent evidence indicates a knowing falsehood. Any seeming inconsistencies could be explained by differences in recollection or interpretation.

III. APPLICABILITY OF THE ETHICS IN GOVERNMENT ACT

Under Chapter 39 of the Ethics in Government Act, 28 U.S.C. § 591, the Attorney General must conduct a statutory preliminary investigation upon receipt of specific information of a federal crime by an official covered by the act. In this case, although several officials covered by the act either had knowledge of or possessed the draft briefing papers in question, there is no specific, credible information of a federal crime having been committed by any of them or by non-covered officials.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

October 20, 1980

MEMORANDUM FOR: JACKIE DINWIDDIE
SECRET SERVICE

FROM: LORA SIMKUS *[Signature]*
DAVID AARON'S OFFICE (x2235)

As you know, the President will be debating Governor Reagan on October 28. In this connection, the following individuals will be coming to the compound to update the Foreign Policy Debate Book which they compiled in September. It would be appreciated if their names could be placed on the Access List for the period Monday, October 20, through Friday, October 24, with the option of renewal until October 28. They will report each evening at 6:00 or 6:30 p.m.--occasionally even later evening.

<u>Name</u>	<u>S.S. Number</u>	<u>Date of Birth</u>
<u>*Karl F. Inderfurth</u> 222-4451	245-74-5617	9/29/46
<u>*Eric Newsom</u>	573-56-3325	4/5/43
<u>**Nancy Ohlson</u>	132-36-3900	6/29/46
<u>**Ann Matikan</u>	041-36-7555	8/28/45

* The professional personnel will come initially to David Aaron's office, First Floor, West Wing, and then proceed to Room 404, OEOB, where they will work for some hours (authorized by Hugh Carter).

** The administrative support personnel will proceed directly to Room 404, OEOB. They are Carter-Mondale Re-Election Committee volunteers. These people may vary; the same volunteers cannot always come more than several days in a row. In this case, a new memorandum will be submitted containing the required information.

cc: Deputy Chief Wazel *[Signature]*
Uniform Division

Officer Manchester *[Signature]*
Control Center

1862

Jackie Division D-71
REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Attn: Officer Valaer

Please admit the following appointments on Fri, 9/26, and Mon, 9/29, 1980
for David Aaron of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

Renewal request for extension of "card access list"

Name	S.S. Number	Date of Birth
* <u>Karl F. Inderfurth</u> ²²⁴⁻⁴⁰⁵¹	245-74-5617	9/29/46
* <u>Loch Johnson</u> ²²⁵⁻³²⁴⁻	566-62-0478	2/21/42
* <u>Eric Newsom</u>	573-56-3325	4/5/43
* <u>Richard Davis</u>	218-56-3610	11/26/51

Member or members of the above group will initially come to David Aaron's office, First Floor, West Wing, and then proceed to Room 404, OEOB, where they will work for some hours (authorized by Hugh Carter).

The following persons will proceed directly to Room 404, OEOB, on the dates indicated to provide administrative support for the above group. They are Carter/Mondale Re-Election Committee volunteers.

Friday, 9/26/80

6:00 p.m. Shirley Campoliete
6:30 p.m. Nancy Ohlson ¹³²⁻³⁶⁻³⁷³⁰ 6/29/80
⁶⁵⁷⁻²⁴²⁵

Monday, 9/29/80

5:30 p.m. Martha Brannan
6:00 p.m. Ann Matikan ⁴⁵⁷⁻¹⁵³⁵

MEETING LOCATION

Building White House & OEOB
1st Flr, W.W. and
Room No. Rm 404, OEOB

Requested by L. Simkus
1st Flr,
Room No. W.W. Telephone x2235

Time of Meeting *o/a 6:30 p.m.

Date of request 9/26/80

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-6742

1863

REQUEST FOR APPOINTMENTS

To: Officer-in-charge Attn: Officer Valaer
Appointments Center
Room 060, OEOB

Please admit the following appointments on Sat, 9/20 thru Fri, 9/26, 1980

for David Aaron of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

Renewal request for extension of "card access list"

Weekend arrival times will vary.

Weekday arrival times will be o/a 6:00 p.m.

<u>Name</u>	<u>S.S. Number</u>	<u>Date of Birth</u>
Karl F. Inderfurth	245-74-5617	9/29/46
Loch Johnson	566-62-0478	2/21/42
Eric Newsom	573-56-3325	4/5/43
Richard Davis	218-56-3610	11/26/51
Ann Matikan	041-36-7555	8/28/45

Member or members of the above group will initially come to David Aaron's office, First Floor, West Wing, and then proceed to Room 404, OEOB, where they will work for some hours (authorized by Hugh Carter).

MEETING LOCATION

Building <u>White House & OEOB</u>	Requested by <u>Lora Simkus</u>
1st Flr, W.W. and	1st Flr,
Room No. <u>Rm 404</u>	Room No. <u>W.W.</u> Telephone <u>x2235</u>
Time of Meeting <u>As indicated</u>	Date of request <u>9/29/80</u>

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-6742

UNITED STATES SECRET SERVICE

SEP 29 1980 (20-70)

1864

ATTN: Officer Valaer
Appointments Center

REQUEST FOR APPOINTMENTS

(C.A. C. to: Officer Valaer
4/18/80 - 4/25/80)

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on Saturday, September 13, 1980
for David Aaron of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

6:30 p.m. Karl F. Inderfurth S.S. No. 245-74-5617 DOB: 9/29/4
OR
7:00 p.m. Loch Johnson S.S. No. 566-62-0478 DOB: 2/21/4
Eric Newsom S.S. No. 573-56-3325 DOB: 4/5/43
Richard Davis S.S. No. 218-56-3610 DOB: 11/26/5
6:00 p.m. *Ann Matikan S.S. No. 041-36-7555 DOB: 8/28/4
(Afe: 457-1539)
(Res: 545-3454)

This group will then proceed to Room 404, OEOB, to work for some hours (authorized by Hugh Carter). They will report to Room 404 each evening through Friday, September 19, including Saturday, September 13, and Sunday, September 14.

* Ann Matikan will report Monday evening, September 15, at 6:00 p.m. She will go initially to Christine Dodson's office, Room 374, and then to Room 404.

MEETING LOCATION

Building White House Requested by Kathy McGraw
Room No. 1st Flr., W.W. Room No. W.W. Telephone 2235
Time of Meeting 6:30 p.m. Date of request September 11, 1980

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-4742

UNITED STATES SECRET SERVICE

SEP 1980 (10-1)

1865

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on Saturday, September 13, 19 80

for David Aaron of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

6:30 p.m.	Karl F. Inderfurth	S.S. No. 245-74-5617	DOB: 9/29/4
or			
7:00 p.m.	Loch Johnson	S.S. No. 566-62-0478	DOB: 2/21/4
	Eric Newsom	S.S. No. 573-56-3325	DOB: 4/5/4
	Richard Davis	S.S. No. 218-56-3610	DOB: 11/26/5
	Anita Mueller	S.S. No. 344-34-3414	DOB: 9/5/4

This group will then proceed to Room 404, OEOB, to work for some hours (authorized by Hugh Carter). They will report to Room 404 each evening through Friday, September 19, including Saturday, September 13, and Sunday, September 14.

MEETING LOCATION

Building <u>White House</u>	Requested by <u>Kathy McGraw</u>
Room No. <u>1st Flr., W.W.</u>	Room No. <u>W.W.</u> Telephone <u>2235</u>
Time of Meeting <u>6:30 p.m.</u>	Date of request <u>September 11, 1980</u>

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-8048 or WHITE HOUSE - 456-6742

UNITED STATES SECRET SERVICE

SEP 2027 (10-76)

1866

22-10-251

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
 Appointments Center
 Room 060, OEOB

Please admit the following appointments on Monday, September 8, 19 80.

for David Aaron of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

6:30 p.m.	Karl F. Inderfurth	<u>S.S. No.</u> 245-74-5617	<u>DOB:</u> 9/29/46
or			
7:00 p.m.	Loch Johnson	<u>S.S. No.</u> 566-62-0478	<u>DOB:</u> 2/21/42
	Eric Newsom	<u>S.S. No.</u> 573-56-3325	<u>DOB:</u> 4/5/43
	Richard Davis	<u>S.S. No.</u> 218-56-3610	<u>DOB:</u> 11/26/51
	Anita Mueller	<u>S.S. No.</u> 344-34-3414	<u>DOB:</u> 9/5/42

This group will then proceed to Room 404, OEOB, to work for some hours (authorized by Hugh Carter). They will report to Room 404 each evening this week to work. However, a clearance list will be submitted each day for their admittance.

Friday, September 19, 1980, L. Simkus
the weekend of Sept. 13-14.

MEETING LOCATION

Building <u>White House</u>	Requested by <u>L. Simkus</u>
	<u>1st Flr.</u>
Room No. <u>1st Flr, W.W.</u>	Room No. <u>W.W.</u> Telephone <u>x2235</u>
Time of Meeting <u>6:30 p.m.</u>	Date of request <u>9/8/80</u>

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-6742

UNITED STATES SECRET SERVICE

GSP 2037 (10-70)

1867

September 8, 1980

Rick:

Room 404, OEGB, has been set aside for your use this week. I will clear the four of you each day for admittance o/a 6:30 or 7:00 p.m.

After you see David Aaron and David Rubenstein this evening, you are to go to Christine Dodson's office, Room 374 (she will be there until 7:30 p.m.) where she will have your clerical assistant and the key to Room 404 waiting for you. Christine has also arranged for a typewriter to be placed in the room. (I asked them to also include ashtrays.)

In addition to the speeches (and the State of the Union addresses in the attached package), Christine will have for you copies of the SOTU Messages, should you have need of them.

Madeleine Albright has located with David Rubenstein some information on Anderson's voting record. If Madeleine isn't able to obtain it from him before your arrival, ask Rubenstein for it when you see him.

^{8:00 - 7:15}
Elaine Kamarck will have couriered to me as soon as it is available:

-- Anderson Platform (which she said is hard to come by);
Anderson "quotable quotes"; some additional material on his voting record.

-- Reagan's acceptance speech; Reagan's CFR speech; any other Reagan speeches she can come up with. ⁹⁻¹¹⁻⁸⁰
_{3/17/80}

At David Aaron's suggestion, I have attached a copy of the Vice President's Commonwealth Club address in San Francisco Friday last.

If you could use any of ZB's speeches, let me know, and I will have them waiting for you tomorrow evening.

Let me know if there is anything else.

Lora

THE WHITE HOUSE
WASHINGTON

September 8, 1980

David:

Rick Inderfurth called -- said the materials we had provided on Friday are a start. He has working with him (in addition to Loch Johnson) Eric Newsom, who will be good on arms control, and Richard Davis, who will be helpful on defense. (Both now work on the Hill and are former State employees.)

Rick and his three colleagues will arrive at the compound at 6:30 p.m. this evening. They would be available to see you at the outset, if you wish; they will also want to see David Rubenstein, to get copies of the format. (I am alerting Rubenstein.)

They need:

-- A room in which to work (I asked Christine on Friday to look into this to tell me whether NSC could provide it or whether we had to go to the domestic side for a room. She is talking with Kimmitt about this.) (HUGH CARTER IS GOING TO PROVIDE ONE)

-- Secretarial support. (Christine will also discuss this with Kimmitt. All NSC employees are Hatched 24 hours a day, so we cannot assist. This will have to come from the domestic side. (THE CAMPAIGN WILL PROVIDE A VOLUNTEER.)

-- Supplies: typewriter; white bond paper; legal pads; scotch-tape; scissors; black binders; numbered tabs; lettered tabs; pencils; ballpoint pens; felt-tip pens. (HUGH CARTER WILL PROVIDE.)

-- Access to EOB. I will type a clearance list for today, but we will have to see if they can be placed on an automatic access list. (Rick is obtaining Social Security Numbers and Dates of Birth on each person.) (NO AUTOMATIC ACCESS; I WILL CLEAR EVERY DAY.)

-- Three/four copies of the four or five most basic speeches by President Carter on foreign and national security policy. One should be his acceptance speech at the Convention in New York; his December 10 defense speech on defense policy; etc. I have asked Pat Malone to come up with 4 or 5 speeches, including the ones outlined. You may have some thoughts on this. *SEP 10 1980*

-- The Anderson Platform, which I'm sure we will have to get from the DNC. Should I call Elaine Kamarck on this and those below? *or Marty Francis*

-- Statements Anderson has made -- "quotable quotes" -- also from the DNC. *ditto*

-- Whatever analyses have been done of the Anderson Congressional voting record. (Rick said Anderson is sure to be invited by the League of Women Voters to debate in view of the 15% and 17% recent polls.) (Should I have Madeleine obtain from Frank Moore's office?)

Yes ☒ No ☐

-- Reagan's speech before the Council on Foreign Relations in March which was his basic speech on defense and foreign policy.

-- Reagan's acceptance speech at the Republican Convention in July.

-- Any other Reagan speeches which come to mind.

Lora

Marty

Frankie

LLC

1870

THE WHITE HOUSE
WASHINGTON

November 12, 1980

Madeline:

In addition to those persons listed on the attached, I recommend that Joy Barber, who headed the Volunteer Office at the Carter-Mondale Re-Election Committee office, receive a letter. She was most helpful in obtaining on short notice the administrative support people for the work on the Debate Books.

Ms. Joy Barber
Volunteer Office
Carter-Mondale Re-Election
Committee
2000 L Street, N. W.
Washington, D. C. 20036

She is truly one of the most efficient and cooperative people I have worked with at the Committee.

Lora

Attachment

*all the time
Chas. Nesson
in the office
in the office*

12/1/77

Karl F. Inderfurth
Senate Foreign Relations Committee
Room 4229, Dirksen Senate Office Building
United States Senate
Washington, D. C. 20510

Loch Johnson
House Foreign Affairs Committee
Room 707, House Annex No. 1
House of Representatives
Washington, D. C. 20515

Eric Newsom
Senate Foreign Relations Committee
Room 4229, Dirksen Senate Office Building
United States Senate
Washington, D. C. 20510

Richard Davis
Senate Foreign Relations Committee
Room 4229, Dirksen Senate Office Building
United States Senate
Washington, D. C. 20510

Ms. Ann Matikan
606 Queen Street
Alexandria, Virginia 22314

(H) 548-3454

✓ Ms. Nancy Ohlson
Daly Associates
702 World Center Building
Washington, D. C. 20006

Ms. Martha Brannan
6305 Hil-Mar Drive
Apartment 12
Forestville, Maryland 20028

Ms. Shirley Campoliet
3042 Mission Square Drive
Fairfax, Virginia 22031

(H) 691-1219

Ms. Anita Mueller
2116 F Street, N. W.
Apartment 436
Washington, D. C. 20037

*NOT in phone book
unpublished #*

Professor Charles Nesson
Harvard Law School
Cambridge, Massachusetts 02138

D-421

ANALYSIS OF FBI REPORTS

Dated July 15, 1983, September 9, 1983, September 13, 1983,
October 24, 1983, October 26, 1983, December 21, 1983.

Document Examination

This is a 38 page report from the FBI Laboratory to Special Agent in Charge of the Washington Field Office, dated September 9, 1983. The report is about examination of 29 items documents. The documents examined are:

<u># pages</u>	<u>WFO #'s</u>	<u>FBI</u> <u>LAB #'s</u>	<u>Our Terminology</u>
249	1	4-252	<u>Hodsoll's Foreign Policy</u> <u>Big Book</u>
9	2	253-261	<u>Hodsoll's Vice</u> <u>Presidential Papers</u>
22	3	262-283	"
1	4	284	"
10	5	285-294	"
5	6	295-299	"
9	7	300-308	"
22	8	309-330	"
4	9	331-334	"
6	10	335-340	"
15	11	341-355	"

1873

6	12	356-361	"
9	13	362-370	"
5	14	371-375	"
30	15	376-405	"
10	16	406-415	"
6	17	416-421	"
2	18	422-423	"
6	19	424-429	"
2	20	430-431	"
3	21	432-434	"
2	22	435-436	"
2	23	437-438	"
12	24	439-450	"
18	25	451-468	"
26	26	469-494	"
27	27	495-521	"
5	28	522-526	"
249	29	527-775	Gergen's Foreign Policy Big Book
		776	Inderfurth's Foreign Policy Big Book
		777	Aaron's Foreign Policy Big Book

DOCUMENT REVIEW

- 1) Even though Hodsoll's and Gergen's book have the same number of pages, there are four pages different between the two books.

1

-- Gergen's book does not have the two page cover memo dated September 29, 1980. Hodsoll's does have these pages. (Qc 4 and Qc 5)

-- Gergen's book contains two pages that are not in Hodsolls: These are: (1) a page beginning "Use of Nuclear Weapons (Qc543) and (2) a page beginning "Governor Reagan on the..." (Qc757)

- 2) The Subcommittee has a copy of Hodsoll's book therefore it does not have the pages beginning "Use of Nuclear Weapons" (Qc543) or "Governor Reagan on the ..." (Qc757). The Subcommittee's copy does have the two page cover memo (Qc4 and Qc5).

- 3) Hodsoll's book, except for the index (Qc6-Qc9), was prepared on one photo copy machine but the type machine is not identified. Hodsoll's index was not copied on the machine (Qc6-Qc9).

- 4) Gergen's big book section titled Leadership and Future Goals (Qc 531-542) and a second section including Military Superiority thru Neutron Bomb (Qc 544-575) were prepared on the same machine - a Kodak. This same machine may also have prepared Gergen's index (Qc527-530). This machine did not prepare the parts of Hodsoll's book mentioned in 3 alone.
- 5) Hodsoll's Vice Presidential papers (Qc 253-526) were copied on xerox 4500 and 5400 model machines.
- 6) Inderfurth's big book (Qc776) probably is not the source of Hodsoll's (Qc4-252) or Gergen's (Qc527-775) books. Aaron's big book (Qc777) was not the source of either Gergen's or Hodsoll's book but does have one photocopy machine in common with these two.

FINGERPRINTS

In a report dated 10/24/83 the FBI Fingerprint Section, Identification Division reported on its analysis of items Qc4 through Qc 775. The report states that 214 latent fingerprints were found and identified as follows:

1876

- 2 are of James A. Baker III. These are on a page of the Vice Presidential papers, not the "big books". (Qc 438 which begins "Mondale 'Our relationship with...;".)
- 56 are of Francis S.M. Hodson. His prints are on his book, his Vice Presidential papers and on Gergen's book.
- 8 are of David Gergen. These were on Hodson's book and 4 were on Gergen's book.
- 150 are of unknown origin but are not those of Baker, Hodson, Gergen, Casey, Allen or Corbin.

OTHER MATTERS

Document and fingerprint examinations were also done of two documents associated with John Lenczowski. The specimen copies were prepared on a photocopy machine which used plain paper and a dry toner fused by radiant heat. There are numerous photo machines that fit this description.

All four prints found on the documents were identified as those of John Lenczowski.

THE WHITE HOUSE
WASHINGTON

June 28, 1983

MEMORANDUM TO: FRED FIELDING

FROM: JAMES A. BAKER, III 

Today the White House is releasing documents from the Carter and Reagan campaigns relating to preparations for the debate between the two of them. My comments on these documents are as follows:

(1) (a) I never saw this book before June 27, 1983. As to the information therein, I specifically do not recall having seen the strategic and tactical information. Some of the policy issue briefing material could have been drawn from the issue material that was in the book I briefly saw, as mentioned in my letter to Congressman Albosta.

(1) (b) I never saw this document before June 27, 1983. As to the information in it, it appears that some of it was derived from items (2) and (3).

(2) These approximately 275 pages of material could have been in the book which I saw briefly and which I referred to in my letter to Congressman Albosta. I think this material is consistent with my description of what I remember seeing, as set forth in my letter to Congressman Albosta, and, indeed, I think the cover sheets support that, (e.g. "Useful for general campaign purposes"; "Responses drawn from speeches, press conferences and other policy statements by the President and senior administration officials").

(3) These approximately 250 pages of material likewise could have been what I remember seeing briefly. I think they too are consistent with my description of what I saw, as set forth in my letter to Congressman Albosta.

(4) I never saw this note or any of the attachments before June 25, 1983.

(5) The cover note is not addressed to me, and I don't recall having seen it before June 27, 1983. By the same token, I have no specific recollection of having received a copy of the one page attachment. I did not solicit a copy, but it is of course possible that one was given to me.

1878

10-127

THE WHITE HOUSE
WASHINGTON

June 22, 1983

Dear Congressman Albosta:

This letter is to respond to your letter of June 15.

I am pleased to give you my recollection of the matters referred to in the second and third sentences of paragraph two of your letter.

First, I would like to note two things which I know you appreciate: 1) almost three years have passed since these matters are alleged to have occurred; and 2) while there may conceivably be some legitimate basis for concern, there is obviously high political content in the efforts by some to foster press interest in this matter in the hopes of embarrassing the Reagan Administration.

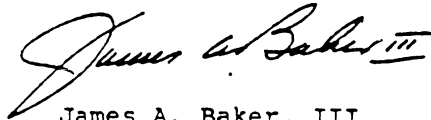
I have no recollection that I ever received or saw any debate strategy or sensitive debating points prepared by the Carter campaign or Carter White House.

In 1980, sometime after the Reagan-Anderson debate and before the Reagan-Carter debate, I do remember briefly seeing a large looseleaf bound book (I believe in a black binder) that was thought to have been given to the Reagan camp by someone with the Carter campaign. But I do not believe this was strategic material. It is my best recollection that I was given the book by William Casey, with the suggestion that it might be of use to the Debate Briefing Team. I should note, however, that I have recently checked this recollection with him, and while he has not contested my recollection, he has no such recollection of his own. It is my further recollection that after briefly thumbing through the binder, I passed it on to the Debate Briefing Team, headed by David Gergen and Frank Hodsoll.

Mr. Chairman, in your letter you say, "I want to assure you that it is not my intention to accept these allegations at face value." I appreciate your approaching your oversight responsibilities in this manner. In this same spirit, I trust you will note the established record of those Presidential campaigns which I ran. In 1976, I was Chairman of the President Ford Committee for the general election. The Federal Elections Commission, and I believe Common Cause, complimented the conduct of that campaign as far as compliance and propriety are concerned. I was also Chairman of the George Bush for President Committee in 1979 and 1980 during the contest for the nomination, and the record of that campaign also reflects full compliance with election laws and high standards of propriety. This record, I trust you will agree, demonstrates that I share your concern for assuring proper conduct in the management of electoral campaigns.

I hope you will be able to dispose of this matter quickly and would be pleased to cooperate in any way that would be helpful.

Sincerely,

A handwritten signature in dark ink, reading "James A. Baker, III". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Baker, III
Chief of Staff
and Assistant to the President

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

cc: The Attorney General

1880

THE WHITE HOUSE
WASHINGTON

D-128

June 22, 1983

Dear Congressman Albosta:

This letter is in response to your inquiry of June 15 regarding my role in preparations for the Reagan-Carter debate during the 1980 Presidential campaign. I welcome this opportunity to address the issues you have raised.

The facts are these:

- My role in the Reagan campaign at the time in question was to act as general coordinator and editor of the debate materials prepared for Governor Reagan and, in conjunction with others in the campaign, to coordinate the pre-debate briefing sessions with the Governor.
- I do not recall ever receiving or seeing a "Carter debate book" or any other notebook from the Carter campaign. Had that occurred, I believe that I would remember it.
- It is possible that I did see some pages of "Carter material" for a brief period, but I do not recall it.
- I do recall hearing that some material from the Carter campaign was present in the Reagan campaign. To the best of my recollection, the material was not described to me as important or dramatic; as a result, I never paid much attention to it.
- I did not know then nor do I know now whether such material was prepared by the Carter campaign staff, the Carter White House, the Democratic National Committee or by a related organization. I also have no idea how the material may have come into the possession of the Reagan campaign. To this day, I am not aware of any evidence that the Reagan campaign engaged in unethical or illegal practices to obtain this material.

- In my role of preparing written materials for Governor Reagan, I can tell you that I never studied nor drew upon any private or sensitive materials from the Carter camp. To the best of my knowledge -- and I was in a reasonable position to know -- the so-called Carter debate book was inconsequential in the preparation of debate materials used by Governor Reagan.
- The face-to-face debate briefings with Governor Reagan were conducted at a private home in northern Virginia. To the best of my recollection, there was no discussion in any of these sessions of the so-called Carter debate materials. Moreover, there was never, to the best of my knowledge, any hint or suggestion that we had inside information about what approaches President Carter's advisers were urging him to take in the debate.
- As you can well understand, the passage of nearly three years' time leaves me a little hazy about all the many details of the debate preparations. But I do remember the main events of that period, and the presence of the Carter materials in the Reagan campaign never left an impression that such materials were significant to the debate.

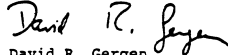
May I also mention an additional set of facts that I believe offer a relevant perspective on these events? This incident occupies some three paragraphs plus a footnote on pages 382-383 of Mr. Barrett's book. I am told that his publisher never took it seriously enough to include it in the original promotional materials, and so far as I can tell, he has not included a specific reference to it in the book's 15 pages of index. Mr. Barrett did apparently write up a note for Time magazine the month after President Reagan was inaugurated, but his editors never thought it significant enough to publish anything about it. Mr. Barrett also writes: "At least a couple of reporters became aware of the briefing-book caper months after the event. The story did not make it into print, however."

It is instructive, I believe, that those who have known about this event in the past -- and that includes the press -- have apparently concluded that it did not play a significant role in the debate. It is also worth asking whether there are some people who are now seeking to promote this story for reasons that are at least partly political.

1882

Finally, Mr. Chairman, let me say that I appreciate your statement in your letter that it is not your intention "to accept these allegations at face value." I hope this letter helps to address the concerns you have raised; like others in the administration, I want to be fully cooperative with you.

Sincerely,

A handwritten signature in dark ink, appearing to read "David R. Gergen". The signature is fluid and cursive, with the first name "David" and last name "Gergen" clearly legible, and "R." in the middle.

David R. Gergen
Assistant to the President
for Communications

The Honorable Donald Albosta
House of Representatives
Washington, D.C. 20515

cc: The Attorney General

1889

THE WHITE HOUSE

WASHINGTON

June 28, 1983

D-130

Dear Congressman Albosta:

Since responding to your letter last week, I have found that I made a mistake, and I want to correct the record with you and to convey to you my personal apology.

In my letter to you of June 22, I said in part:

"It is possible that I did see some pages of 'Carter material' for a brief period, but I do not recall it.

"I do recall hearing that some material from the Carter campaign was present in the Reagan campaign...

"As you can well understand, the passage of nearly three years' time leaves me a little hazy about all the many details of the debate preparations."

Mr. Chairman, that letter was written to you in good faith, based upon my best recollections plus those of a few other close colleagues with whom I consulted. Unfortunately, I wrote that letter to you before completing a thorough search of all of my files. I just didn't think I had anything there of relevance. That was a mistake I very much regret. In completing that search with the help of a member of my staff, I found yesterday two items that should properly and promptly be brought to your attention:

-- A set of materials clearly prepared by the Carter camp relating to foreign policy and national security issues. These materials have various dates ranging from September 10 through September 29, 1980, several weeks before the debate was formally scheduled. It appears they were an early draft of materials that were later summarized, refined and included in many parts of the final briefing materials on this subject, dated October 20, 1980. (A copy of materials being released by the White House today shows that the pages in my files are a subset of those that another member of the campaign team found in his files over the weekend.)

-- Second, I found an unsolicited note sent to me on October 21, 1980 by a Mr. Wayne Valis with a one-page attachment. Valis describes the attachment as "notes ... based on a Carter debate staff brainstorming session -- middle level types -- nothing spectacular, but interesting -- from a source intimately connected to a Carter debate staff member..." After seeing this material again, I can remember that I read it at the time

I did not know then, nor do I know now, how that book was obtained by the Reagan campaign. I never, directly or indirectly, asked anyone in or out of our campaign, or in the Carter campaign or White House, to provide or acquire that book from the Carter campaign or White House. As best I recall, the book I saw contained position papers on various issues. I do not believe there was anything about it or its contents that would have identified it as coming from the White House. I do not recall that it contained any strategic or tactical information relating to a forthcoming debate. I recall it being more of a compilation of Carter Administration positions on a wide range of issues. I don't remember whether the issues were foreign, domestic, or both. As best I recall, the material in the book was not unlike information that a campaign of an incumbent President might supply its surrogate speakers. It did not seem to be close-in briefing material, but rather a compendium of Carter Administration positions.

I do not remember exactly when I saw this book but it could have been before a Carter-Reagan debate had even been agreed upon. We were preparing for one because the Carter camp had been challenging Governor Reagan to a one-on-one debate since early in the campaign. I believe (but cannot be sure) that the book I saw was not something developed in the few days preceeding the debate -- the period during which former Carter campaign officials now say their key strategic debate briefing material was developed. I do not recall sending the book or a copy to David Stockman, but apparently he received some such material from the Reagan campaign.

It is correct that, after seeing the book, I did not undertake to find out how our campaign had obtained it. There was nothing on its face that suggested it may have been an official document or a document sufficiently sensitive to have been controlled or closely held. In any case, I would submit that, unfortunately, it is not uncommon in campaigns -- just as it is not uncommon in the ordinary business of the press and the Congress -- for such material to be given or sent for a variety of reasons by a host of people, including people whose contribution may be in conflict with their current or prior affiliations. Further, as I have suggested above, I had no reason to believe that the book was illegally acquired. And even now, I am not aware of any evidence that it was.

received. I cannot remember my reaction, but it strikes me now as a second or third-hand account of what was already well known (e.g., Carter planned to attack Reagan on so-called flip-flops) and some random notes on Carter advertising plans.

(Both of these materials, as well as others, are being forwarded to you today by the Counsel to the President.)

There were no other items in my files that appear to have come from the Carter camp. I definitely read the second item noted above, though I did nothing with the information provided. Having my memory refreshed, I can now advise you that I still do not recall studying or spending any time with the materials in the first item above, but clearly I must have looked through these materials sometime prior to the debate in October.

If I might, I would once again like to emphasize that my memory of these events has been dimmed by the passage of nearly three years' time. In searching my files, I also found several hundreds of pages of material generated within the Reagan campaign that I did not recall until I saw them again. I can only say that, like others in this Administration, I am trying to make a good faith effort to reconstruct events of that period. After reviewing the briefing book submitted on our side, it remains my view that while materials received from the Carter camp were of interest, to my knowledge, they did not play any significant role in the preparation of materials for Governor Reagan.

As noted in my letter of June 22, I am eager to be fully cooperative with you in this matter, and regret any inconvenience caused you by my failure to review all of my files before tending my previous response.

David

Sincerely,

David R. Gergen

David R. Gergen
Assistant to the President
for Communications

The Honorable Donald Albosta
House of Representatives
Washington, D.C. 20515

June 28, 1983

D-140

MEMORANDUM FOR: FRED FIELDING
FROM: FRANK HODSOLL *fmh*
SUBJECT: CARTER-REAGAN DEBATE BRIEFING MATERIALS

I understand it is the White House's intention to release materials involving Carter-Reagan Debate preparations. I have reviewed the following documents on which my comments are set out below:

1. Letter of Transmittal from Patrick Caddell to Richard Hauser, dated June 27, 1983, enclosing (1) (a) "a copy of the briefing book used by President Carter in his preparations for the October 28, 1980 debate; and (1) (b) "supplementary foreign policy questions and answers":

I had never seen this briefing book or "supplementary foreign policy questions and answers" prior to their being provided to me on June 27, 1983, although some of the international and defense position materials are similar in content to those in Item 2 below. I cannot be certain whether I have seen in different form any of the domestic issue material, but I know I had never seen any of the strategic and tactical materials contained therein.

2. "Presidential Debates: Foreign Policy and National Security Issues" (September 29, 1980):

These materials were provided to me unsolicited after we had begun in earnest our preparations for the debate between then candidate Reagan and President Carter. I do not remember the exact date on which they were handed to me or who handed me the materials. I believe it was someone in the Reagan-Bush Campaign who provided me with these materials. I would remember now if it had been someone from outside our Campaign.

I read these materials and remember thinking at the time that they were of only marginal interest. I also remember thinking at the time that they were the kind of materials that appeared to have come from the bureaucracy -- e.g., agency (not final) briefing materials for a Presidential press conference -- not the kind of materials that would have been overly useful for a debate, not at all like those we were preparing for candidate Reagan.

At the time I received these materials, we had already completed much of our work on candidate Reagan's briefing book. Further, the vast majority of the material in this Item appeared to have been drawn from the public record as noted in its cover document.

Review of the materials reflects that they may have influenced the briefing book preparation in two or three instances, but did not impact significantly on debate preparation.

In the period after the Cleveland debate, I closed down the Debate Group office and evidently took these materials (among others, including Items 3 and 4) to my home where I stored them with other materials from previous jobs.

On June 25, 1983, the White House Counsel's office called to ask me how debate materials had been archived at the Hoover Institution. I volunteered to search my file. (I had meant to do this after my interview with the Washington Post on June 17, but had not had the chance due to the press of other business and my being out of town.) When I found Items 2, 3 and 4, I promptly turned them over to the White House Counsel's office for transmittal to the Justice Department.

NOTE: There remains a question as to whether at one time I had similar materials involving domestic issues. My presumption is that I must have had such materials, although I no longer do and cannot be certain that I ever did.

3. Miscellaneous Foreign Affairs and Defense Issue Materials:

These materials were also provided to me unsolicited in the same time frame as Item 2, although in this case I have no specific recollection of having reviewed them. The issues involved are not a complete set of international and defense issues, and some of the papers appear to be oriented toward Vice Presidential activity. I am quite sure they did not influence the way in which we prepared our briefing books.

4. Handwritten Note from Miles Martell to Frank Hodsoll (undated) with attachments by Sam Popkin:

These materials were presumably transmitted to me by Mr. Martell. I do not recall actually reading this material; but, if I did, it could not have materially influenced my preparation of our briefing book.

5. Handwritten Note from Wayne Vallis to Dave Gergen (dated October 21, 1980) attaching a one-page typewritten note (dated October 20, 1980):

I have never seen these materials before they were provided to me June 27, 1983.

6. Reagan Campaign briefing book commencing with Table of Contents, prepared by the Debate Briefing Group under the supervision of Messrs. Gergen and Hodsoll dated and delivered to candidate Reagan on October 24, 1980:

This is a copy of the briefing book we prepared for Candidate Reagan. It will be noted that it has significantly different thrust and form from the materials in Items 2 and 3. It represented the distillation of thousands of pages of materials.

1894

4424 North 25th Street
Arlington, VA 22207

July 11, 1983

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Congressman Albosta:

This letter is to respond to your letter of June 29, 1983, and share with you my recollection regarding the matters referred to in the second and third paragraphs of your letter.

I should begin by noting that you ask for recollections of events which occurred nearly three years ago. As is true of my memorandum of June 28, 1983, to Fred Fielding, White House Counsel (attached), the following represents my best recollection of the circumstances under which certain documents came into the possession of the "Debate Group."

1. I was staff coordinator of briefing material preparation for candidate Reagan, working in the Arlington Campaign Headquarters. I reported to David Gergen and James Baker. It was my job to arrange for the preparation of materials on all subjects which might come up in debate. Prior to the debate with President Carter, we had prepared briefing books for the Reagan-Anderson debate and for Reagan-Bush surrogates (that is, persons representing the candidates on the campaign trail). Dozens of people provided assistance in preparing different portions of the briefing books; drafts of those portions, as well as many other materials, were kept in my office, which was a welter of paper.
2. Sometime after we had begun in earnest our preparations for the debate between candidate Reagan and President Carter (essentially building on the books we had prepared for the Anderson debate and for the surrogates), I received a large pile of papers in "Q and A" format with a cover document indicating that they had been prepared for use by President Carter. I do not remember the exact date on which I received these papers or who gave them to me, although I believe that it was someone from outside the Campaign.

3. I read these materials when I received them and remember thinking at the time that they were of only marginal interest. I also remember thinking at the time that they were the kind of materials that appeared to have come from government agencies -- that is, they resembled briefing materials typically provided by agency officials for a Presidential press conference. They were not the kind of materials that would have been overly useful for a debate, and were not at all like those we were preparing for candidate Reagan. The vast majority of the material appeared to have been drawn from the public record as noted in the cover document.
4. In the period after the Cleveland debate (October 28, 1980), I closed down the Debate Group office. Most of our Group's materials were transferred to the Hoover Institution. I kept some of the materials for my personal files, storing them at home with other materials from previous jobs.
5. I had not thought about the documents referred to in paragraphs 2 and 3 until articles on the matter began to appear in the press last month. I had not read Mr. Barrett's book; but, when David Hoffman of the Washington POST called me June 17, I told him in response to his questions what I remembered at that time. Most of this appeared in the POST article of June 18 which is attached to your letter.
6. I resolved at that time to search my files to see if I could turn up any relevant documents; but, because of the press of Arts Endowment business, moving our household, and travel, I did not get around to the search until June 25 (the day after my return from chairing a seminar at Jacob's Pillow in Massachusetts). On that day, Richard Hauser of the White House Counsel's office called to ask me how debate materials had been archived at The Hoover Institution. I told Mr. Hauser what I knew about that and volunteered to look through my papers for any documents I might have.
7. My June 25 search revealed the documents described in my June 28 memorandum to Fred Fielding. I promptly turned these documents over to the White House Counsel's office for transmission to the Justice Department. I would note that the "Q and A" material I turned up involved only Foreign Policy and National Security issues. I assume that I was given similar materials involving domestic issues, although I no longer have any such materials and cannot be certain that I ever did.

8. On June 27, the White House provided me with a copy of the Carter Briefing materials sent to Richard Hauser by Patrick Caddell. I quickly reviewed them; and, as I stated in my June 28 memorandum to Mr. Fielding, I had not previously seen these materials. While it is true that some of the international and defense-position materials were similar in content to the materials I had found in my home (in that they dealt with many of the same issues) and while I cannot be certain whether I had seen in different form any of the domestic-issue material, I knew I had never seen any of the strategic and tactical materials provided by Mr. Caddell.

The principal difference between the documents Mr. Caddell says were used by President Carter and those I received in 1980 is that the former provided a sense of debate strategy on the principal issues whereas the latter were largely recapitulations of the public Carter record -- a record we had already thoroughly researched before I received the documents. At the time I received these materials, we had already completed much of our work on candidate Reagan's briefing book. Review of the materials found in my home indicates that they may have influenced preparation of our briefing books in two or three instances, but it is clear that they did not impact significantly on that preparation.

9. I would like now to turn to the comments made by Myles Martel as reported in the June 23 Richmond TIMES-DISPATCH. Mr. Martel was debate coach to candidate Reagan. We were friends and met on numerous occasions for lunch or dinner, in addition to collaborating in preparing candidate Reagan for the debates. While I do not recall discussing the briefing materials in question with Mr. Martel, it is possible that I did. Similarly, it is possible he raised the ethics issue. But, if he did, it must have been in passing or I think I would have remembered his so doing.

With regard to Mr. Martel's recollection that I might have been the one who told him the materials were fed to our campaign by a "mole" in the Carter campaign, I told Mr. Martel that I could not possibly have said that to him because I had no idea where the documents had come from, and he acknowledged he was less certain on this score and that someone else may have mentioned that to him.

As I noted in my June 28 memorandum to Fred Fielding, I did not recall actually reading the materials attributable to Sam Popkin under cover of an undated note to me from Mr. Martel. Mr. Martel has stated in recent days that these materials were sent to

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David Gergen and me after the election. That is certainly possible. I do not recall. When I made the search discussed in paragraph 6, I retrieved all items that appeared to have some connection with the Carter Campaign, including the Popkin materials, and turned them over to the White House. Even if we did receive the material before the election, the fact that I have no recollection of them would indicate to me that they did not materially influence preparation of our briefing books.

In conclusion, I am happy to comply with your request to preserve all documents, records, and logs of meetings and conversations that have a direct bearing on, or relate to, the events which are the subject of our exchange of letters. I would note, however, that whatever materials I had have been turned over to the White House for transmission to the Justice Department, and all of these materials have been made a part of the public record as attachments to the White House press release on this subject dated June 28.

I hope the above will be helpful to you. It is my desire to cooperate to the fullest possible extent so that these matters may be resolved. Early resolution is as important to me as to you.

I hope you will be able to deal with this matter as expeditiously as possible and am, of course, happy to cooperate with you in any way that is useful.

Sincerely,



F.S.M. Hodson

Attachment

cc: The Attorney General

August 17, 1983

MEMORANDUM FOR CHARLES RUFF

FROM: FRANK HODSOLL *FRH*

SUBJECT: FBI Carter-Reagan Debate Briefing Book Inquiry

Further to our recent conversations, there follow the amplification I agreed to at my last meeting with the FBI:

1. I resigned from the Foreign Service on August 22, 1980, and began my work with the Reagan-Bush Campaign on August 25, 1980.
2. I have been unable to date a time during which I worked on the Lima, Ohio, TV commercial.
3. The instances of similarity to which I referred between our Briefing Book for Reagan and the papers I had which appeared to come from the Carter side ("Carter document") are:
 - a. At the top of page 3 of the Defense briefing paper, the first bullet states: "Carter claims RR position on military superiority will lead to all out arms race, skimping on conventional forces." The underlined portion on page 2 of the 9/18 paper entitled "Military Superiority vs. Essential Equivalence" of the "Carter document" has Carter saying, *inter alia*, RR's position would mean "an uncontrolled, open-ended, and enormously expensive arms race" and would mean "we would have to skimp on conventional forces". The use of the word "skimp" in both cases may indicate knowledge of the "Carter document", although it should be noted that Carter's views on Reagan's position were well known and there is a lot of other language in the "Carter document."
 - b. On the same page 3 of our Briefing Book, the second bullet states: "Carter will also claim RR inaccurate re Ford defense record and Carter accomplishments."

In amplification of these points, the Briefing Book states: "In 1977 he claims no program for mobile ICBM, no final decision on MX or how to deploy it, no cruise missile program, no plans to deploy additional Minuteman III, Trident bogged down in contracts disputes, lame duck naval ship building program." The Briefing Book continues: "Carter says he resolved Trident disputes, cancelled B-1 because doubtful it could penetrate Soviet defenses, favored a workable basing system for MX, signed into law 11.7% military pay increase effective 10/1."

The sequence and some of the language are similar to language on pages 1 and 2 of the paper entitled "Strategic Program Cancellations" dated September 26, 1980. That paper states for Carter: "In 1977 there was no program for a mobile ICBM. No final decisions had been made on the MX missile, nor on how to deploy it. There was no program for long-range, air-launched cruise missiles; no program for ground-launched cruise missiles; no program for sea-launched cruise missiles. There were no plans to deploy additional Minuteman III ICBMs, so a continuing production line would have been a useless, senseless waste of \$300 million per year. The Trident ballistic missile submarine program was bogged down in contractor disputes and way behind schedule. There was no Trident II ballistic missile. In the past three years I have resolved these disputes and gotten the Trident program back on schedule."

The "Carter document" goes on to state, "I cancelled the B-1 in 1977 because it had very doubtful prospects of being able to penetrate anticipated Soviet defenses." It goes on to state on page 3 "we cancelled a basing system for the MX that wouldn't work and we substituted a system that would."

Again, while there are similarities in language and order on the Carter position, this position was a matter of public record. Further, there is sufficient additional language in the "Strategic Program Cancellations" paper so as to make it unclear as to whether our Briefing Book was, in fact, drawn from it.

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- c. The first bullet on page 2 of our Briefing Book paper entitled "Arms Control/SALT" states "Carter will claim SALT II is in our interest:
- No reductions in US strategic systems while Soviets will have to reduce 250.
 - U.S. will be able to carry out modernization programs.
 - Soviets limited to one new land-based missile instead of four.
 - U.S. would be required to spend \$30 billion more over 10 year period."

This compares with page 2 of the "Carter document" entitled "Arms Control - SALT Treaty" where it is suggested Carter say:

"I remain committed to the mutual, negotiated reduction and control of nuclear weapons. SALT II is such an agreement. The benefits of this Treaty to the security interests of the U.S. are clear:

- o Under the Treaty, the United States will not have to reduce any strategic systems, while the Soviets will have to reduce 250.
- o Under the Treaty, the United States will be able to carry out all our planned strategic modernization programs, including the Trident I missile, the air-launched cruise missile, and the MX land-based missile. The Soviets will be limited to deploying only one new land-based missile, instead of the four that they have been developing.
- o The Soviets will be limited to a maximum of ten warheads on their large land-based missiles, while the US will be able to place ten on the MX when it replaces the current Minuteman missile which carries only three."

I found no real parallels with language or structure in the other papers in our Briefing Book, although many of our statements of the Carter positions were the same as those the "Carter document" suggested. Again, these positions were all a matter of public record. Our Briefing Book would naturally have included them as argumentation our candidate would have to contend with.

I trust the above information will be helpful. Please let me know if the FBI would like me to do any further research.

1901



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

D-141

June 28, 1983

TO: FRED FIELDING
FROM: DAVID A. STOCKMAN *DAS*
SUBJECT: CARTER CAMPAIGN MATERIALS

*Note: seems to tie in with
much itemized materials
listed on D-145. Please
recheck.*

I have reviewed the documents designated #1 - #6. The following are my recollections and observations.

Document #1-A. "Debate Briefing Materials"

To the best of my recollection, I have not previously seen this document. The only section of this document that appears to be similar to the material I received and described in my letter to Chairman Albosta is Part I(3) entitled "Carter Questions and Answers" on "Economy", "Energy and Environment", "Overview", "Government" and "Human Needs". While this section appears to be in a different format, more tightly written and organized, and more addressed to specific debating points than I recall, I would conclude that the substantive content of Section 3 of Document 1-A is similar to material made available to me prior to the debate rehearsals.

The remainder of the document consists of numerous succinct lists of "Key Lines", "Accomplishments", "Promises", "Challenges", "Rebuttals", "Platform Comparisons", "Quotes", and related matters. To the best of my recollection, this type of material was not included in the large volume of xeroxed pages made available to me by the Reagan campaign.

Thus, while my recollection of specific sections and headings is necessarily limited after two and one-half years, it is my strong impression that the material in Part I (1) - (2), and (4) - (9), as well as all of the material in Part II, was not among that which I received on October 23, 1980.

Document #1-B: "Presidential Debate Briefing Papers: Foreign Policy and National Security Material"

This document consists of policy issue materials relating to a variety of foreign policy and defense topics. To the best of my recollection, I have not previously seen this document. However, the individual policy sections are quite similar to the materials I recall having received from the Reagan campaign, described in my letter to Chairman Albosta. This document appears to contain fewer topics, less redundancy and better editing and organization than I recall, but its content is otherwise consistent with my recollections.

Document #2: "Presidential Debates: Foreign Policy and National Security Issues"

This document is consistent - both as to content and format - with my best recollection of the material delivered to me on October 23, 1980. I specifically recall two features of this document:

- 1) the absence of page numbers in the table of contents, which made it difficult to find specific topics;
- 2) the extreme redundancy and overlap among the issue briefs, as contained, for example, in the half-dozen specific papers on different aspects of U.S. - NATO relations.

While it is difficult to be absolutely certain about document identity after two and one-half years, it is my strong impression that this document was among the material delivered to me by the Reagan campaign.

Document #3: Miscellaneous Fact Sheets and Quotations

I do not have a distinct recollection of the vast bulk of material contained in this document -- particularly the extensive quotations from vice presidential candidate Bush or the reproduced documents such as the House Armed Services Committee hearing transcript and the Reagan-Bush Committee news release.

However, I note that the document resembles the kind of loosely organized issue compendium material that was contained in the large package of xeroxed pages delivered to me by the Reagan campaign. I would conclude that part or all of this document could have been included in the material delivered to me by the Reagan campaign.

Document #4: Handwritten Note from Myles Martel and Attachment

I have no recollection of seeing this document at any time prior to June 25, 1983.

Document #5: Note from Wayne Valis to David Gergen

I have no recollection of seeing this document at any time prior to June 27, 1983.

Document #6: Debate Briefing Book

My best recollection is that substantial parts of this document were among the materials delivered to me from the Reagan campaign on October 23, 1980.

1903

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

D-129

June 23, 1983

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
Washington, D. C. 20515

Dear Don:

This will answer your letter of June 16.

My recollection of the "document" referred to in Mr. Barrett's book begins with a package of material that was delivered to my office by messenger from the Reagan campaign committee one day before the first debate rehearsal at Wexford, Virginia. I believe this was October 23, 1980.

It was included in a larger batch of debate preparation papers forwarded by the Reagan campaign in order to assist me in my role as the stand-in debater for President Carter. My recollection is that the balance of the material consisted of debate background papers prepared by the Reagan committee.

The "document" in question appeared to be a "policy issues" compilation covering dozens of topics from Afghanistan, to SALT, to solar energy. It was a thick, unbound set of pages containing approximately one issue per page. I recall that it had no index or particular organizational format.

To the best of my recollection, none of these pages contained markings indicating that they were official government business. Nor were they in any way classified.

The documents dealt entirely with policy issues, including "Carter Administration Achievements", and contained standard arguments in support of Carter Administration initiatives and policies. To the best of my recollection, they contained no points challenging positions taken by Governor Reagan or providing contrast between the Carter and Reagan stands on the topics covered. Nor did they contain discussions of campaign strategy, debate tactics or a debate "game plan".

Thus, my recollection is that the set of pages I received was an "issues primer" quite different in character from the internal Reagan debate strategy papers that I had seen at the same time.

1904

Due to the advocacy character of these issue briefs it was apparent to me at the time that they had in some way come from the Carter campaign. I have no recollection of asking about or being informed as to how. More importantly, since they only dealt with matters of public record I felt no reason to be concerned about having access to them.

The published reports you refer to indicate that these documents were useful to the Reagan campaign. This is true -- but in a very particular and unique sense.

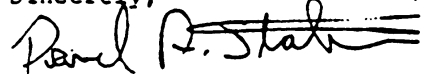
To prepare Governor Reagan for the debate, the campaign conducted mock debates over the weekend of October 24-27, 1980, in which I was the Carter stand-in. Since I had been a vocal critic of the Carter Administration on many issues, I found the documents, written from a Carter Administration advocacy point of view, useful as I prepared outlines of possible debate answers representing the "other side". I might note that I also made extensive use of the material prepared by the Reagan campaign staff on controversial prior statements by candidate Reagan in carrying out my debate role of challenging Governor Reagan's answers.

I doubt that the Carter advocacy materials that I used were or could have been of significant value to others in the Reagan campaign. For example, I recall no mention of them during the many hours of debate rehearsals and preparation, which included all key campaign aides, over the weekend of October 24-27, 1980.

In summary, I had no reason to believe that the documents in question were anything other than a compilation of the public record and position of the Carter Administration on the whole range of issues relevant to the 1980 campaign. My perception today remains as it was then.

I hope these recollections will be useful to you. If I can cooperate in any other way, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "David A. Stockman", with a stylized flourish at the end.

David A. Stockman

1905

The Director of Central Intelligence
Washington, D.C. 20505

D-136

28 June 1983

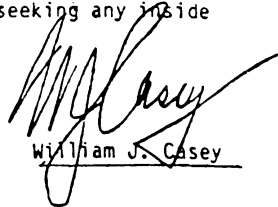
MEMORANDUM FOR: The Honorable Fred Fielding
Counsel to the President

SUBJECT: The Carter Briefing Book

1. I have examined the handwritten note from Myles Martel to Frank Hodson, and the handwritten note from Wayne Vales to David Gergen and the one-page typewritten note attached. I have no recollection of ever seeing any of this before.

2. I have also examined the pile of papers provided to the White House Counsel's office by Francis Hodson and David Gergen. I do not recognize them as anything I have seen before. A great many papers came to my desk during September and October of 1980. Any pile of papers two inches high would almost certainly have been set aside to be passed along to others in the campaign. However, if papers headed "Presidential Debates, Foreign Policy and National Security Issues" came in, I believe they would have caught my eye or would have been brought to my attention and I would not have forgotten, nor would I have forgotten if anyone came in and handed them to me. Until recent disclosures, I did not know that the campaign had any material from the Carter camp that was not publicly available.

3. As I have already written to Congressman Albosta, the campaign management never contemplated, directed or authorized seeking any inside information from the Carter camp.



William J. Casey

1906

FEC Form 3P
 September 1978
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

REPORT OF RECEIPTS AND EXPENDITURES
 By a Candidate or Authorized Committee of
 a Candidate Seeking Nomination or Election
 to the Office of President or Vice President
 of the United States

"This is not the complete report but contains the information required by law."

12/4/80

NOTE: This report is to be used by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 (a) NAME OF CANDIDATE OR COMMITTEE IN FULL <input type="checkbox"/> Check if name or address is changed		2 IDENTIFICATION NUMBER C00129007
(b) ADDRESS (Number and Street) 901 S. Highland Street		3 Is this report of receipts and expenditures to: <input type="checkbox"/> PRIMARY <input checked="" type="checkbox"/> GENERAL
(c) CITY, STATE AND ZIP CODE Arlington, VA 22204		
4 TYPE OF REPORT (Check appropriate box and complete, if applicable)		
(a) <input type="checkbox"/> Amendment for _____ (which report) _____ (b) <input type="checkbox"/> April 10 Quarterly Report (c) <input type="checkbox"/> October 10 Quarterly Report (d) <input type="checkbox"/> Termination Report (e) <input type="checkbox"/> January 31 Year End Report (f) <input type="checkbox"/> Tenth day report preceding _____ Election (g) <input type="checkbox"/> July 10 Quarterly Report (h) <input type="checkbox"/> Monthly Report (i) <input type="checkbox"/> Thirtieth day report following _____ Election (j) <input type="checkbox"/> Thirtieth day report following _____ Election		

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 COVERING PERIOD: FROM 10/16/80 THROUGH 11/24/80

Section A - Cash Balance Summary		Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 19 <u>80</u>			\$ - 0 -
7 Cash on Hand at Beginning of Reporting Period		\$ 13884706.64	
8 Total Receipts (From Line 23)		\$ 1001438.49	\$ 31550682.26
(a) Subtotal (Add Lines 7 and 8)		\$ 14886145.13	\$ 31550682.26
9 Total Expenditures (From Line 28)		\$ 14000294.12	\$ 30664831.25
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)		\$ 885851.01	\$ 885851.01
11 Contributed Items on Hand to be Liquidated (Attach Itemized List)		\$ - 0 -	
DEBTS AND OBLIGATIONS			
12 Debts and Obligations Owed To the Committee (Itemize all on Schedule C-P)		\$ 1414783.91	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-P)		\$ - 0 -	
Section B - Summary of Expenditure Subject to Limitation			
14 Expenditure Total (Add Lines 24c and 26b)		\$ 14000294.12	\$ 30194831.25
15 Refunds and Rebates (From Line 21c)		\$ 820665.78	\$ 1199284.42
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)		\$ 13179628.34	\$ 28995546.83
(b) Expenditure from Prior Years Subject to Limitation		\$ -	\$ -
(c) Total Expenditures Subject to Limitation (Add Lines 15a and 15b)		\$ 13179628.34	\$ 28995546.83

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.
 SCOTT MACKENZIE 12/4/80
 (Typed Name of Treasurer or Candidate) (Signature of Treasurer or Candidate) (Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 7 U.S.C. §437g, §441; and 26 U.S.C. §9012, §9042.

For further information contact: Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463 or Call 800/424-9530

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

1907

TAILED SUMMARY OF RECEIPTS AND EXPENDITURES (Page 2, FEC Form 278)

POST ELECTION REPORT

Name of Candidate or Committee		REPORT COVERING THE PERIOD	
REAGAN BUSH COMMITTEE		FROM: 10/16/80 TO: 11/24/80	
RECEIPTS		COLUMN A This Period	COLUMN B Calendar Year-to-Date
16	FEDERAL FUNDS (Itemize on Schedule A-P)	\$ - 0 -	\$29,440.00
17	Contributions from Individuals (including contributions in-kind):		
(a)	Itemized (use Schedule A-P)	\$	
(b)	Unitemized	\$	
(c)	Sales and Collections Included Above:		
	List by Event on Memo Schedule D-P (S - 0 - 1)	\$ - 0 -	\$ - 0 -
(d)	Subtotal of Contributions from Individuals (including contributions in-kind)	\$	
18	Transfers In from Political Committees (including contributions in-kind):		
(a)	From Affiliated/Authorized Committee (Itemize on Schedule A-P Regardless of Amount)	\$	
(b)	From Other Committees (Itemize on Schedule A-P Regardless of Amount)	\$	
(c)	Subtotal of Transfers In from Political Committees (including contributions in-kind)	\$ - 0 -	\$ - 0 -
19	Other Income:		
(a)	Itemized (use Schedule A-P)	\$ 180,772.71	
(b)	Unitemized	\$	
(c)	Subtotal of Other Income	\$ 180,772.71	\$ 441,397.8
20	Loans and Loan Repayments Received:		
(a)	Itemized (use Schedule A-P)	\$	
(b)	Unitemized	\$	
(c)	Subtotal of Loans and Loan Repayments Received	\$ - 0 -	\$ 470,000.0
21	Refunds, Rebates, Returns of Deposits:		
(a)	Itemized (use Schedule A-P)	\$ 820,665.78	
(b)	Unitemized	\$	
(c)	Subtotal of Refunds, Rebates, Returns of Deposits	\$ 820,665.78	\$ 1,199,284.4
22	Refunds and Rebates Relating to Exempt Fundraising, Legal, and Accounting Fees:		
(a)	Itemized (use Schedule A-P)	\$	
(b)	Unitemized	\$	
(c)	Subtotal	\$ - 0 -	\$ - 0 -
23	TOTAL RECEIPTS	\$1,001,438.49	\$31,550,682.2
EXPENDITURES			
24	Operating Expenditures:		
(a)	Itemized (use Schedule B-P)	\$14,000,294.12	
(b)	Unitemized	\$	
(c)	Subtotal of Operating Expenditures	\$14,000,294.12	\$30,194,831.1
25	Exempt Fundraising, Legal and Accounting Expenditures:		
(a)	Itemized (use Schedule B-P)	\$	
(b)	Unitemized	\$	
(c)	Subtotal of Exempt Fundraising, Legal and Accounting Expenditures	\$ - 0 -	\$ - 0 -
26	Transfers Out:		
(a)	To Affiliated Committees (Itemize on Schedule B-P Regardless of Amount)	\$	
(b)	To Other Committees (Itemize on Schedule B-P Regardless of Amount)	\$	
(c)	Subtotal of Transfers Out	\$ - 0 -	\$ - 0 -
27	Loans, Loan Repayments, and Contribution Refunds Made:		
(a)	Itemized (use Schedule B-P)	\$	
(b)	Unitemized	\$	
(c)	Subtotal of Loans, Loan Repayments, and Contribution Refunds	\$ - 0 -	\$ 470,000.0
28	TOTAL EXPENDITURES	\$14,000,294.12	\$30,664,831.1
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
29	TOTAL RECEIPTS (from Line 23)	\$ 1,001,438.49	
30	TRANSFERS IN (from Line 18a)	\$	
31	NET RECEIPTS (Subtract Line 30 from Line 29)	\$ 1,001,438.49	
32	TOTAL EXPENDITURES (from Line 28)	\$14,000,294.12	
33	TRANSFERS OUT (from Line 26a)	\$	
34	NET EXPENDITURES (Subtract Line 33 from Line 32)	\$14,000,294.12	

RUN DATE: 15:19.53 NOV-26-1980
PAGE 269

K3-RPT
11/24/80 11/24/80

REAGAN-BUSH COMMITTEE
SCHEDULE B LINE

NAME AND ADDRESS	PURPOSE OF EXPENDITURE	DATE	AMOUNT
AVIS RENT A CAR SYSTEM INC 1722 N STREET NW WASHINGTON, DC 20036	CAR RENTAL	10/24/80	486.27
SALLY LEE SIEL 4249 S 35TH ST ARLINGTON, VA 22206	REIMB-ORFC SUPPL	10/24/80	141.58
ROBERT K CUBITOSI 319 E MAIN ST APT J5 HARLOW, MA 01752	TRAVEL EXPENSE	10/24/80	484.07
HILTON INN 101 S ADAMS ST TALLAHASSEE, FL 32301	RECEPTION	10/24/80	300.00
PAUL CONNIN 7100 SORREY PLACE ALEXANDRIA, VA 22307	FIELD TRIP	10/24/80	1,500.00
KYLE TAPSCOTT 4706 NATHAN HALE RD ANNAPOLIS, VA 22003	TRAVEL EXPENSE	10/24/80	200.00
FRAN CHILES 1100 SHADY OAKS LANE ST WORTH, TX 76107	ADVERTISING	10/24/80	6,000.00
QUALITY PRINTING 1003 KIAN HOUSTON, TX 77007	PRINTING	10/24/80	1,200.00
IS JET AVIATION INC GENERAL AVIATION TERMINAL WASHINGTON NATIONAL AIRPORT WASHINGTON, DC 20001	AIR TRAVEL	10/24/80	9,727.04

I hereby certify that the data shown on this schedule
is true and correct to the best of my knowledge and
belief.

[Signature]

PAGE TOTAL 20,039.76

RECEIVED : 10/19/80 11/14/80
 83-NPT

RUN DATE: 10/19/80
 PAGE 277

REAGAN-BUSH COMMITTEE
 SCHEDULE B LINE

NAME AND ADDRESS	PURPOSE OF EXPENDITURE	DATE	AMOUNT
CLIFF CHAMBERLAIN 10000 WILSON BLVD 950 N HOTEL CIRCLE SAN DIEGO, CA 92108	PARKING	10/31/80	700.00
GUYMOND BUS CO-IL 840 N MICHIGAN AVE SUITE 502 CHICAGO, IL 60611	BUS RENTAL	10/31/80	2,553.90
FORMAL PHOTO 1117 MILLS RD HUNTSVILLE, VA 22305	EQUIPMENT RENTAL	11/03/80	13.00
EXXON CO. 1000 S. LEXUE RD ARLINGTON, VA 22204	CAS	11/03/80	355.09
PAUL COBLEIN 1000 WILSON BLVD ALEXANDRIA, VA 22307	PROF SERV & PHONE	11/03/80	1,360.00
EMIL'S 1000 WILSON BLVD ALEXANDRIA, VA 22304	EQUIPMENT RENTAL	11/03/80	168.03
WASHINGTON HILTON 1919 CORNWELL AVE WASHINGTON, DC 20009	ACCOMMODATIONS	11/03/80	268.90
RADIO-TV MONITORING 1400 WISCONSIN AVE NW WASHINGTON, DC 20006	TAPE	11/03/80	45.00
SAVIN CORPORATION 1401 AVE OF THE STARS WASHINGTON, DC 20004	EQUIPMENT RENTAL	11/05/80	350.00
CHERRY CITY, CA 90067			

I hereby certify that the foregoing is a true and correct copy of the original as filed with the Federal Election Commission.

8/19/81 *K. R. Rags*

PAGE TOTAL 5,813.92

1910

NP7030

REAGAN & BUSH

06/11/95 1.125/10

Batch # 3

Batch Date 1/1/94

INVOICE MAINTENANCE

Vendor Name Paul Corbin

VOUCHER NO. 112 VENDOR NO. 305511 INVOICE NO. 111111

INVOICE DATE 1/1/03/8/01

EXPLANATION P/R/D/F, S/E/R/V, A, P/H/D/N/E, /

TOTAL SALE AMT \$1360.00

MANUAL CHECK:

COMPUTER CHECK:

PAY CODE M/

BANK CODE 1011

CHECK NO. 11114771

CHECK DATE 1/1/03/8/01

BANK CODE 111

PAYMENT DATE 111111

FINANCIAL ORG. (FOC)

GL ACCT (GLA)

DIST SALE AMT (DSA)

01 12/ - 15701 - 15701-170-

15701119

\$ 1200.00

02 12/ - 15701 - 11111

157011701

\$ 160.00

03 12/ - 111 - 11111

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04 12/ - 111 - 11111

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05 12/ - 111 - 11111

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06 12/ - 111 - 11111

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\$

07 12/ - 111 - 11111

111111

\$

08 12/ - 111 - 11111

111111

\$

09 12/ - 111 - 11111

111111

\$

10 12/ - 111 - 11111

111111

\$

KEAGAN BUSH

TO: COST CENTER COMMITMENT CONTROL GROUP

FROM: Chairman
(COST CENTER NAME)DATE: 11/2/87

***** USE FOR ALL EXPENSES INCLUDING TRAVEL *****

EXPENSE AUTHORIZATION REQUEST
(EAR)

I request approval to commit the following funds:

VENDOR: Paul S. Corbin 3056
815*Manual check
ck # 1147*11-3-80AMOUNT: \$ 1,300.00

DATE TO BE PAID: _____

PURPOSE: Professional fee and telephone expenseSignature: W. J. Corbin 166
(COST CENTER MANAGER)Signature: W. J. Corbin
(REQUESTING INDIVIDUAL)

COST CENTER COMMITMENT CONTROL GROUP

☒ Approved ☐ DisapprovedSignature: W. J. Corbin Date: 11-3-80

TREASURER'S OFFICE

☐ Approved ☐ Disapproved

Signature: _____ Date: _____

1200 * ~~50110~~ 50110
\$ 160 52190Cost Center No. 50
Expense Acct No. _____7th

RB Form C (8/1/80)

WHITE - Accounting YELLOW - Cost Center Commitment Control Group PINK - Cost Center

1912

Paul Corbin
RESEARCH SERVICES
815 - 15TH STREET, N. W., SUITE 910
WASHINGTON, D. C. 20005

347-74

AN 3-80

Wagon Bush Corbin
8th St. 54. 1st St. 1st.
Only the Virginia

8
2700.00

Research Reports
Ft. Detmold
Tangier Beach
Pine Point
West Pine Beach
Pine Beach

Telephone calls

Post account

paid

Balance

160.00

2860.00
- 1500.00

\$1360.00

1913

1/2N 3-80

Reagan Bank Campaign
900 54th Street
Oakley, Va

8 2700.00

Reagan Report
of Subtitle
Tongues Bank
P.O. Box
P.O. Box
P.O. Box

160.00

Delphra calls

2860.00

Patron account

paid # 11395

1500.00

Balance

1360.00

REAGAN FOR PRESIDENT GENERAL ELECTION COMMITTEE 715 SOUTH HIGHLAND STREET ARLINGTON, VIRGINIA 22204		FIRST NATIONAL BANK OF VIRGINIA OCT 27 1980 25-6	13395 13395 13395
TO THE ORDER OF <i>Reagan</i>		1500 DOLLARS	1500
THE RIGGS NATIONAL BANK 1000 K STREET, N.W. WASHINGTON, D.C. 20004		1500 DOLLARS	1500
OR <i>Building Department</i>		1500 DOLLARS	1500
0011395 0540000300 04-08368328		1500 DOLLARS	1500

1914

VISITORS

SIGN-IN SIGN-OUT LOG

#1

29 Sept 80

(Date)

(Security officer on duty)

VISITOR'S NAME	PERSON VISITED	BADGE	TIME IN	TIME OUT
P. Greeng	Mr. Dike	33	8:42	6:05
E. B. Smith	Bay Beachum	136	8:00	8:00
M. Kendall	Com. Kel	63		11:30
Charles Hall	Bromason	48	8:25	6:15
Marlyn Thayer	Kinder	129	8:25	4:30
S. J. Brown	Louise Runder	77	8:30	2:15
John Smith	Bay Beachum			
Mary Brazil	Dottie	42	8:40	9:00
L. B. Hill	Carl Tele.	42	8:45	4:20
Franklin Bayne	Volunteer	124	8:45	12:00
Arthur W. Wilson	"	54	8:45	7:30
P. Meloni	M. Hugel	97	8:45	5:20
Chine M. Kunkland	Scott Mackenzie	58	8:50	5:40
Thomas L. Manning	Finance		8:55	
Starr West Jones	Ken Tawney	168	9:05	9:20
Mary M. Mann	Ed Gray	168	9:10	12:30
Tom Corbin	Gene Porter	144	9:15	10:30
Marion W. Wink	Donna Ely Smith	14	9:15	1:30
Robert C. Tawney	Robert C. Tawney	47	9:18	2:55
Mr. Franklin				
David Walters	Donna J.	7	9:30	4:50
Nault (C. H. H.)	300	930	9:32	✓
Richard Campbell	Mr. Duke	463	9:50	5:05

Kathy Olson Guard/Receptionist on duty		VISITORS LOG		#5	11 October 80
Date		Date		Date	
Visitor's name (printed)	Visitor's signature	Office visited	Staff sponsor	ID no.	Time in out
Paul Driessen	<i>Paul Driessen</i>	<i>John Roloff</i>		320	1:35
Dennis Fiedley	<i>Dennis Fiedley</i>	<i>Long Rith</i>	<i>Paul Russo</i>	213	1:40 6:00
Brian Lawrence	<i>Brian Lawrence</i>	<i>Annunzio</i>	<i>Hispanics</i>	208	1:51 1:50
Mary F. Gray	<i>Mary F. Gray</i>	<i>Don't Know</i>		208	1:46 2:00
Rich Hansen	<i>Rich Hansen</i>	<i>Robert</i>		213	1:50 3:50
Chasen Morgan	<i>Chasen Morgan</i>	<i>Reanne</i>		202	1:50 2:55
Peter M. Morgan	<i>Peter M. Morgan</i>	<i>Johnnie</i>	<i>Jersey Carver</i>	233	1:54 2:05
Aliceburg English	<i>Aliceburg English</i>	<i>Press</i>	<i>Mary Catherine</i>	233	2:05 2:15
William G. Gore	<i>William G. Gore</i>	<i>Art Table</i>		233	2:10 2:15
Paul Corbin	<i>Paul Corbin</i>			232	4:10
Elizabeth Fiedley	<i>Elizabeth Fiedley</i>	<i>Turnoff</i>		233	2:15
Laure Delmar	<i>Laure Delmar</i>	<i>Turnoff</i>		153	2:21 2:35
Andrew G. Guler	<i>Andrew G. Guler</i>			85	2:20 2:45
A.W. Wilson	<i>A.W. Wilson</i>			61	2:20 2:45
Mike Wilson	<i>Mike Wilson</i>				
David Moore	<i>David Moore</i>	<i>Comp. Lab</i>			
Thomas J. Nelson	<i>Thomas J. Nelson</i>	<i>Paul Mudgett</i>		193	2:40 3:00
David Nelson	<i>David Nelson</i>	<i>Ken Orr</i>		208	2:45 3:15

Ketchikan		VISITORS LOG		#1	Date	
Guard/Receptionist on duty					10/25/80	
Visitor's name (printed)	Visitor's signature	Office visited	Staff sponsor	Staff no.	Time in	Time out
Barbara J. McNamee	Barbara J. McNamee	Proc	LEE Thistle	348	8:45	9:55
WAYNE COMBS	Wayne Combs	Proc	LEE Thistle	350	8:45	X
Princeton Mink		Proc		351	9:45	X
John Davis			Campings, 80		9:45	11:35
James Rogers	James Rogers	Stud	Schubert	175	9:05	X
Mary Hall	Mary Hall	Res.	Reed	436	9:10	5:15
Jim W. H. Litz		Compt.	Compt. Litz	117	9:15	5:15
J. Newcomer	J. Newcomer	Schedule	Key, B. C. C. C.	241	9:25	X
Mrs. W. H. H. H. H.		3 floor			9:21	9:22
Tom CORB	Thomas CORB	3rd floor	Julia CORB	418	9:30	9:45
Alice Anne English	Alice Anne English	Proc	McC English	257	9:35	9:45
Paul CORB/M	Paul CORB/M	Crab	Grady Corb	208	9:35	9:45
Missy Hoadley	Missy Hoadley	Tuition	Grady Corb	468	9:40	10:50
Paul R. L. L. L.	Paul R. L. L. L.	4th floor	Grady Corb	468	9:40	10:50
Carl			Thistle Spence			
Missy Hoadley	Missy Hoadley	4th floor	Thistle Spence	223	10:10	10:25
M. B. H. H. H.	M. B. H. H. H.	4th floor	Thistle Spence	223	10:10	10:25
M. B. H. H. H.	M. B. H. H. H.	4th floor	Thistle Spence	223	10:10	10:25
M. B. H. H. H.	M. B. H. H. H.	4th floor	Thistle Spence	223	10:10	10:25

Guard/receptionist on duty	Visitor's name (printed)	Visitor's signature	Office visited	Staff sponsor	ID no.	Time in	Time out
Kathy Ann 1111	L. Knight	[Signature]	Office	Sharon Delaney		8:20	
	Christ Hansen	[Signature]	Office	Sharon Delaney		2:53	2:53
	Steve Bitts	[Signature]	Prison	Pete Daily, Jr.	281	4:30	
	Robert E. Davis	[Signature]	Prison	Ray Town	218	4:30	2:53
	William Beckwith	[Signature]	Key O'Neil	"	218	4:30	
	PETER MATHERS	[Signature]	Key O'Neil	"	251	4:30	
	MARK BARBER	[Signature]	Key O'Neil	"	251	4:30	
	S. C. WARD	[Signature]	Key O'Neil	"	77	4:30	
	P. Anderson	[Signature]	Prison	Town	273	4:30	
	Gardine Kay	[Signature]	Key O'Neil	"	50	4:30	
	Paul Loret	[Signature]	Key O'Neil	"	267	4:30	
	MARK MARTIN	[Signature]	Key O'Neil	"	267	4:30	
	Paul Hansen	[Signature]	Prison	Sharon Delaney	237	4:40	5:15
	DICK HANSEN	[Signature]	Prison	Sharon Delaney	277	4:40	5:15
	James Hansen	[Signature]	Prison	Sharon Delaney	170	4:40	5:15
Frank Bailey	[Signature]	Prison	Sharon Delaney	208	4:40	5:15	
B. B. [Signature]	[Signature]	Prison	Sharon Delaney	204	4:40	5:15	

1918

APPOINTMENTS * MEMORANDA * 1980

SEPTEMBER 29 MONDAY

AUGUST 1980							SEPTEMBER 1980						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	..	..	..	..
31	..	..	..	..	..	..	..	..	..	..	..	..	..

Today is the Birthday of

8:00 Staff Mtg

8:30 ↓

9:00 Sort mail

9:30 Paul Corbin + Casey

10:00 Phone calls

10:30 Girl History

11:00 dictate Luvv letter to ada

11:30 Frank Haddon

12:00

12:30 Phil

1:00 sort mail

1:30 lunch/HNT

2:00 home visit

2:30

3:00

3:30

4:00

4:30

5:00

5:30 ↓

6:00

Evening 6:50-11:00 Baby nannies

CALENDAR of
James A. Baker III

25 Thursday
September
1980

10. - Paul West -
10:30 - Paul Corbin
12 press luncheon

August 1980							October 1980						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1 2					1 2 3 4		
3	4	5	6	7	8	9	5	6	7	8	9	10	11
10	11	12	13	14	15	16	12	13	14	15	16	17	18
17	18	19	20	21	22	23	19	20	21	22	23	24	25
24	25	26	27	28	29	30	26	27	28	29	30	31	
31													

1920

Telephone Message Pad
James A. Baker III

TO _____ DATE _____ TIME _____ AM
PM

FROM _____ AREA CODE TELEPHONE NO. OR OFFER

M. _____

OF _____ EXTENSION _____

MESSAGE _____

PHONE MESSAGE

Received ☐ Call ☐ Return ☐ Switch In ☐ Switch Out ☐ Answer ☐ No ☐ Other ☐

TO _____ DATE _____ TIME _____ AM
PM

FROM _____ AREA CODE TELEPHONE NO. OR OFFER

M. _____

OF _____ EXTENSION _____

MESSAGE _____

PHONE MESSAGE

SIGNED _____

Received ☐ Call ☐ Return ☐ Switch In ☐ Switch Out ☐ Answer ☐ No ☐ Other ☐

1921

PHONE MEMO

TO: JAB

FROM: Paul L.

DATE: 7-11-21

TIME: 11:15 AM

AREA CODE: 347

TELEPHONE NO. OR OPER: 7437

EXTENSION:

SIGNED: []

Wants To See You: []

Will Call Again: []

Can I: []

See Operator: []

PHONE MEMO

TO: JAB

FROM: Paul L.

DATE: 7-11-21

TIME: 11:15 AM

AREA CODE: 347

TELEPHONE NO. OR OPER: 7437

EXTENSION:

SIGNED: []

Wants To See You: []

Will Call Again: []

Can I: []

See Operator: []

1922

p-135

THE WHITE HOUSE
WASHINGTON

June 25, 1983

MEMORANDUM FOR: FRED F. FIELDING
FROM: RICHARD G. DARMAN
SUBJECT: NOTES RELATED TO
ALBOSTA INQUIRY



As you know, when we worked together to counsel Messrs. Baker, Stockman, and Gergen re their June 22-23 responses to Congressman Albosta, I made a few inquiries to try to help assure that their recollections were as full and accurate as possible. I have already briefed you on the results of those inquiries. Having now completed the task of responding to Albosta, I hereby forward to you copies of my handwritten notes from the inquiries. I trust that you will assure their safekeeping, and their further review by responsible parties should this, at any stage, be deemed appropriate.

At this point, I am unaware of any illegal act having been committed in connection with the so-called "debate-gate" matter. I trust that you and the Department of Justice will continue to monitor developments, and take such action as may be indicated if, at any point, there is any evidence of a crime having been committed.

It does not seem to me to be my responsibility to pursue further the facts of this general matter. But if and as I may receive further relevant information, I shall follow a standard practice of forwarding it to you for appropriate further handling -- unless you advise me of an alternative appropriate procedure.

Attachments:
RGD Handwritten notes from conversations
with David Gerson, Stef Halper, Wayne Valis,
and Kathy Reid.

1923

6/16/FS

man → RW re black book
a b.g. was of 500-700 pages of
gap about what a great
job Carter had done. "

"It didn't cover Q + A's "

"If I'd taken that as a
briefing book, I'd be even mad."

"Think it was sorted by issue "

"A hodge podge "

"Well - don't recall it well "

don't know where got it.
Dave got it.

1924

Halper

6/14/83

(name) is really willing
thought in 2 mil. plus
it is incredible.

when I first heard I was trying
to train
Cement
hurdled through a very
private channel

Soundly
brought
down
left for
W.H. on
part from
(complex
where
white)
the
the

I suspect that it came
from a secretary and
don't know who

It wasn't a big deal
we know where Center
coming from
no way of revelation

- We were able to look thru
computer or cc - but not find

Agree to when old. was
was de minimis

weren't even in any schedule or
no knowledge

1925

- I can't remember
who gave in to me
- only a few memory in debate prep
 Jensen - Frank was
 Baker - actually doing
 myself - the physical
 house - assembly but
 not involved in
 conspiration
 as Baker and I were
- It was somebody way down there
 like Wisty Church, a staff
 person.

- "If they came to us, they
 were plucked in our lap"

"I don't believe we
 remember the names in
 any detail"

1926

- There were 3 levels
 - . for a/lrs.
 - . com.
 - . econ.

) think we had
1 or 2 —
not being
- Carter was provided whatever
we had
- Didn't know / Van Clute / Sky H.
hit Bk for 2 days or
for. : never saw any
Carter.

-
- ~~Sky H.~~ would be
talking w. Baker,
 - Bill Cantors very active
 - these seemed to be close to Sky H.
-

1927

6/17/83

ed. Vol. 1

also: How was

Fifth answer we do help ed. E.S.

(also: re Adrian 5)

At diff. times primarily early in Cal
Admin. People gave no things

Gerger got from me "working paper"
70 page blueprint

I got a lot of things

I got a box full of stuff
but it was very early

I got notes of their meetings

It was literally a pile of things

meetings on Powell/Honda
discussions at
how setup office!

• Cadell working paper on
where we go from here and
how soon in '80

how caught Kennedy
how taken

I gave it to S. Boardman
Postman in March 81.

Jan
/

1928

ABC made ^{as available as possible} people working in it.

In '80 campaign, I don't recall getting stuff.

I was doing negative research

I went over to Carter-Kendall campaign
no espionage

A woman who used to work for A.E.E. ^{who wanted to get the inside} used to talk to me

Donna Ketter

She was friendly + cooperative
but didn't pass anything
women who slept w. Carter stuff
gave me ideas — they shared
a number of women

I came home + have time that
pile. most of it I destroyed
I got it from an employee who
was a career bureaucrat

1929

To the best of (my recollection:
not me/not 80)

I used to talk to Ann McGlinchey
a little.

and
Patti Presock - a fluster -
ing in VP's office

Nancy Gennet was here then
and Patti
knew half of (RWD list)

When they told me you
called, I knew what it
was about. . . .
When Mike Burroughs & Brona wanted
info, I have a list of all these
women's birthdays.

You have to do what
you have to do.

1930

6/16/83

OPM (P) → Georgia O'Connor (now Feldstein) non-qualified to type
 (P)(C)(R) → Kathryn Reid (didn't type)
 (P)(C)(R) → Adelle Gharrett as liaison
 (P)(C)(R) → Carolyn Keene (back w. L.S.) - end Carter only
 (P)(C)(R) → Ann McGlinchey → Ed. Gray 30 - 5/8 - 5/9
 (P)(C)(R) → Kathryn Noonin → Timmons
 (P)(C)(R) → Karen Veck
 (P)(C)(R) → Rosemary Rogers
 (P)(C)(R) → Mary Zepf's (still here) (did work for Patti - now liaison)
 Trava Whitted (black)
 Faye Richardson
 Ann Cunningham (now back to work)
 (P)(C)(R) → Rita Sweetland (now Frankum)
 Jim Pollard xeroxed all the letters [he's 6 ft 6 in]
 Mary [unclear] " " [unclear]
 (P)(C)(R) → Marilee Melvin (corresp. - E.Z. - now liaison)

Cynthia Duman?
 Felicia Black
 (now work)

Secretaries
 who worked
 on Carter
 briefing
 books
 acc. K. Reid

6/20

per Casey →
 FFF man
 Casey → JAS
 try for
 luncheon - in
 cabin.

1931

6/16/83

GERSON → RWD RE B:ACL BOOK

"A BIG MAD OF 500-700 PAGES OF
Y ~~WRAP~~ ABOUT WHAT A GREAT
JOB CARTER HAD DONE."

Transcript of
D-135
by Maria Doyle

"IT DIDN'T COVER QUESTION AND ANSWERS Q & A "

"IF I'D GOTTEN THAT AS A
BRIEFING BOOK, I'D'VE BEEN MAD."

"THINK IT WAS SORTED BY ISSUE"

" A HODGE PODGE"

"REALLY DON'T RECALL IT WELL"

"DONT KNOW WERE GOT IT.
DAVE GOT IT."

Committee type 43
D-135 note
JMD 9/20/83

1932

HALPER

6/16/83

()'S REALLY ROLLING
THOUGHT IT
ITS INCREDIBLE.

WHEN I FIRST HEARD I WAS TRYING
TO THINK
SEEMED
HANDLED THROUGH A VERY
PRIVATE CHANNEL
I SUSPECT THAT IT CAME
FROM A SERCRETATY AND
DON'T NKOW WHO
IT WASN'T A BIG DEAL
WE KNEW WHERE CARTER WAS
COMING FROM
NO MAJOR REVELATION
WE WERE ABLE TO
DOMESTINX OR EC BUT NOT FOREIGN
AGREE TO WHEICH DID USE
WAS DEMINIMUS
WEREN'T USED IN ANY ~~EXTRAORDINARY~~ EXTENSIVE WAY
 ~~WERENXXXMXXXXXMX~~ NO SUPRISES

MARGINAL NOTE:

SOMEBODY WAS LEFT BEHIND WHEN WE LEFT FORD WH AND THAT PERSON
(MIGHT HAVE BEEN SEEING WAYNE VALIS) TYPED THE BOOKS

1933

I CAN'T REMEMBER
WHO GAVE IT TO ME

ONLY A FEW WORKING IN DEBATE PREP

-GENGEN

-BAKER

-MYSELF

-MEESE

-FRANK WAS

ACTUALLY DOING

THE PHYSICAL

ASSEMBLYING BUT NOT

INVOLVED IN

CONCEPTILIZATION

AS BAKER AND I WERE

-IT WAS SOMEBODY WAY DOWN THERE LIKE

MISTY CHURCH, A STAFF PERSON

_IF THER CAME TO US, THEY WERE

PLOPPED IN OUR LAP"

"I DON'T BELIEVE WE

REVIEWED THE BOOKS IN ANY DETAIL

1934

-THERE WERE 3 BOOKS

FOREIGN AFFAIRS

ECON

DOM

THINK WE HAD 1 OR 2

NOT FORIGN

-CARTER WAS PROVIDED WHATEVER WE HAD

-DICK ALLEN/VAN CLEVE/STEF HALPER

HIT RR FOR TWO DAYS ON FOR ____ NEVER SAW
ANY CARTER.

-STOCKMAN WOULD HAVE BEEN TALKING WIT BAKER

-BILL CURUTTERS VERY ACTIVE

-MEESE SEEMED TO BE CLOSE TO STOCKMAN

1935

W. VALIS

6/17/83

RWD: HOWS BUSINESS

FAITH ASKED ME TO HELP OUT E.S.

RWD: RE: ALBOSTA

AT DIFFERENT TIMES PRIMARILY EARLY IN CARTER
ADMINISTRATION, PEOPLE GAVE ME THINGS

GERGEN GOT FROM ME

70 PAGE BLUEPRINT "WORKING STRATEGY PAPER"

I GOT LOT OF THINGS

I GOT A BOX FULL OF STUFF

BUT IT WAS VERY EARLY

I GOT NOTES OF THEIR MEETINGS

IT WAS LITERALLY A PILE OF THINGS

MEETING WITH POWELL/JORDAN

DISCUSSIONS ON

HOW TO SET UP OFFICE

CADELL WORKING PAPER ON

WHERE WE GO FROM HERE AND

HOW TO WIN IN "80"

HOW TO COOP KENNEDY

HOW LABOR

I GAVE IT TO S. DONALDSON

POST RAN IT IN EARLY "81"

1936

ABC MADE COPIES AVAILABLE TO PEOPLE INTERESTED IN IT
IN '80 CAMPAIGN I DONT
RECALL GETTING STUFF
I WAS DOING NEGATIVE RESEARCH
I WENT OVER TO CARTER-MONDALE
CAMPAIGN
NO ESPIONAGE
A WOMAN WHO USED TO WORK
FOR AEI WHO WORKED FOR CARTER MONDALE USED TO TALK TO ME
DONNA KELLER
SHE WAS FRIENDLY AND COOPERATIVE
BUT DIDNT PASS ANY THING
WOMAN WHO SLEPT WITH CARTER STAFF
GAVE ME IDEAS -- THEY SHARED
A NUMBER OF WOMEN
I CAN GO HOME AND HUNT THROUGH THAT
PILE MOST OF IT I DESTROYED
I GOT IT FROM AN EMPLOYEE WHO
WAS A CAREER BUREAUCRAT

1937

TO THE BEST OF MY RECOLLECTION:
NOT ME/NOT 80

I USED TO TALK TO ANN MCGLIN
A LITTLE

AND

PATTI PRESCH - A FLOATER -
UP IN VP'S OFFICE

NANCY GERMOND WAS THERE THEN

AND PETIII

KNEW HALF OF (RWD LIST)

WHEN THEY TOLD ME YOU
CALLED, I KNEW WHAT IT
WAS ABOUT...

WHEN MIKE BUROODI WANTED
INFOR THEY CAME TO ME

I HAVE A LIST OF ALL THESE
WOMEN'S BIRTHDAYS

YOU HAVE TO DO WAHT
YOU HAVE TO DO

1938

6/16/83

F. L. Carter, Reagan

OPM/F GEORGIA OCONNOR (NOW FELDSTEIN) MARRIED 2 Or 3 TIMES TYPED BOOKS
F C R KATHY REID (DIDNT TYPE)
½ C R ASTELLA GONZALES
F C R ANN MCGLINN CALIF ED GRAY 30-5/8-5/9
F C R KATHY NOONIN TIMMONS CO
C KA KAREN VEEK
F C R ROSEMARY ROGERS
F C R MARY ZAGOULIS (STILL HERE) (DID WORK FOR PORTER NOW CARLSON)
TRINA WHITTED (BLACK)
FAYE RICHARDSON
C R ½ ANN Cavanaugh (NOW BACK IN COLLEGE)
F C R RITA (REDHEAD) (NEW FRANK UM)
JIM ROLLAND XEROXED ALL THE BOOKS (HES A BIG DEM)
C MARY LOOMIS XEROXED ALL THE BOOKS (WENT TO EIZ LAW FIRM)
C R MARILEE MELVIN (CPRRESP. BUT IN E.Z. - NOW MEESE)

CYNTHIA DUMAN?
FELICIA HASCH
(VIA HILL)

SECRETARIES" WHO WORKED
ON CARTER 6/20
BRIEFING PER CASEY --
BOOKS FFF AND
ACC. K. REID CASEY--JAB:
TRY FORMER
KENNEDY-MAN
CORBIN

1939

10 Oct 80

Sea Wars →

- Rescue attempt being planned
- Several small groups
 - AUSA
 - 2000
 - Helicopters & equipment
 - Marines in Diego Garcia
 - [Spooks]

Soviets prepared to move in; C-I

→ POLISH - Gen. Strike 15 Oct 1 hour

RVA → Snetel

WRU → Buying hostages ⇒

FCS → Partial release of hostages for facts

[Soviets do not lose - in ME]

1940

TO: Ed Meese, Ed Gray

FROM: Martin Anderson

Attached are the two Carter documents I mentioned to you today:

1. Their comparison of our respective platforms and,
2. A six-page outline of what they apparently believe are his main achievements.

1941

PLATFORM COMPARISON

	<u>Democratic</u>	<u>Republican</u>
A. <u>ECONOMY</u>		
1. Humphrey-Hawkins	Commitment to meet its goals.	Silence.
2. Tax Reductions	Commitment to targeted, non-inflationary tax cuts.	Kemp-Roth, 30% tax cut.
3. Federal Spending	Spending restraint is important economic weapon, but must be sensitive to those who look to Federal Government for aid.	Support for constitutional amendment to balance the budget; limit government spending to fixed percent of GNP.
4. Anti-Recession Assistance	Commitment to fund programs needed to fight the recession; commitment to expand and strengthen programs if unemployment worsens.	Kemp-Roth tax cut
5. Rebuilding American Industry	Commitment to a program to rebuild American industry.	Kemp-Roth tax cut
6. Worker Protection		
o Labor Law Reform	Supports.	Opposes.
o OSHA	Opposes legislation to weaken OSHA.	Supports legislation to weaken safety program
o Section 14-B	Supports repeal.	Opposes repeal
o Minimum Wage	Opposes youth subminimum. Supports future increase.	Supports youth subminimum. Silence.
o Plant Closings	Supports legislation to help workers affected by sudden, unexpected plant closings.	Silence.

1942

	<u>Democratic</u>	<u>Republican</u>
7. Minority Business	Supports tripling of 1980 level of Federal procurement from minority firms.	Silence on procurement goals.
B. <u>GOVERNMENT AND HUMAN NEEDS</u>		
1. National Health Insurance	Supports.	Opposes.
2. Abortion	Supports 1973 Supreme Court decision.	Seeks constitutional amendment to overturn Supreme Court decision.
3. Social Services	Supports welfare reform, with goal of eliminating burden of welfare costs on local governments and reducing burden on States.	Seeks to transfer entire welfare responsibility to States, along with tax sources to finance it.
	Supports Food Stamp program.	Opposes any increase in Food Stamp Program.
	Supports expansion of low-income energy assistance.	Silence.
4. Education	Supports Department of Education.	Seeks to eliminate Department of Education.
	Supports increased assistance to private schools.	Supports tuition tax credits.
5. Equal Rights Amendment	Strongly supports ratification.	Silent on ratification (reversing 40-year record of support).
6. D.C. Voting Rights Amendment	Strongly supports ratification.	Silence.

1943

	<u>Democratic</u>	<u>Republican</u>
7. Gay Rights	Supports elimination of discrimination based on sexual orientation.	Silence.
8. Civil Rights	Supports dual prosecution policy; establishment of civil rights units in U.S. Attorneys offices; condemns Ku Klux Klan and Nazi Party.	Silence on these issues; section of "Black Americans" refers to civil rights in one sentence.
9. Appointments (Judicial)	Supports policy of appointing women and minority judges at all levels, including Supreme Court.	Supports policy of appointing judges who "respect sanctity of innocent human life."
10. Martin Luther King	Supports national holiday commemorating Dr. King's birthday.	Silence.
C. <u>GOVERNMENT OPERATION AND REFORM</u>		
1. Tax Reform	Supports tax reforms that will eliminate subsidies and loopholes benefitting special interests.	Silence.
2. Law Enforcement	Supports improved controls over handguns and Saturday night specials.	Supports repeal of key provisions of Gun Control Act of '68.
3. Public Financing of Congressional Elections	Supports.	Opposes.
4. Lobby Law Reform	Supports.	Silence.
5. Legislative Veto	Opposes.	Supports.
6. Consumer Protection Agency	Supports.	Opposes.

1944

	<u>Democratic</u>	<u>Republican</u>
<u>D. ENERGY, ENVIRONMENT AND AGRICULTURE</u>		
1. Nuclear Power	Supports retiring existing nuclear power plants in an orderly manner as alternative fuels become available.	Supports accelerated use of nuclear power.
2. Synthetic Fuels	Supports development of synthetic fuel industry as way of reducing dependence on foreign oil.	Opposes synthetic fuel industry; supports decontrol of all oil products to provide oil companies with more profits.
3. Windfall Profits Tax	Strongly supports.	Favors nearly wholesale repeal; supports plowback provision to give oil companies greater revenues.
4. Solar Energy	Strongly supports; commits to achieve 20% solar energy use by 2000.	Mentioned in one sentence.
5. 55 M.P.H. Speed	Supports as conservation device (saves more than 2 billion gallons of gasoline a year) and a safety device (saves 5000 lives a year).	Seeks repeal of national speed limit in favor of State decisions on limits.
6. Agriculture	Supports grain embargo against Soviet Union.	Seeks to lift grain embargo.
<u>FOREIGN AND DEFENSE POLICY</u>		
1. Defense Spending	Supports sustained defense spending, continued real increases sufficient to meet the Soviet threat.	Supports defense spending program designed to achieve military superiority over Soviet Union (level of increased defense spending would be \$15-\$25 billion above Administration level).

1945

	<u>Democratic</u>	<u>Republican</u>
2. SALT II	Supports ratification at appropriate time.	Opposes ratification.
3. Middle East	Supports continuation of the peace process under the Camp David Accords.	No mention of Camp David Accords.
4. Jerusalem	Supports moving American embassy to Jerusalem.	Silence.

REAGAN-KEMP-ROTH

COST

- o Reagan-Kemp-Roth (R-K-R) will cost \$34.7 billion in 1981, \$74.5 billion in 1982, \$280 billion a year in 1985 and substantially more in subsequent years. During the 1980's, R-K-R would cost well over \$2 trillion (by comparison, during the same period, the Windfall Profits Tax raises only \$227 billion).

PROGRESSIVITY

- o R-K-R is very regressive; its tax relief is directed toward the wealthy. Those with \$200,000 annual incomes get a tax cut 35 times greater than those with \$20,000 incomes, and 135 times greater than those with \$8,000 incomes.

BUDGET

- o The cost of R-K-R can only be met by allowing the deficit to rise to triple digit levels for the first time in history or -- if the R-K-R proponents' goals of a balanced budget and significantly increased defense spending are to be achieved -- by slashing Federal domestic programs in an unprecedented, irresponsible way.
- o The magnitude of the cuts needed is so large, because the R-K-R costs are so high, that both discretionary domestic programs (economic and community development, health services, mass transit assistance) and mandated domestic programs (Social Security, Medicare, AFDC, SSI) would have to be cut severely.

INFLATION

- o R-K-R can only serve to refuel inflationary pressures and perhaps lock in double-digit inflation through the '80's.
- o It is simply not possible to cut taxes by more than \$2 trillion in the 1980's without significantly increasing the deficit and inflation. To avoid this would require that economic growth in the 1980's generated by R-K-R would have to be nearly twice what it was in the 1960's. That is not likely to occur.

TIMING

- o R-K-R proponents want cuts enacted this year, prior to the election.
- o Legislating a tax cut of such a magnitude in a political, pre-election atmosphere is not conducive to a tax program developed and enacted on its merits and on behalf of the public interest.

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RECORD OF PRESIDENT CARTER.

1. The President has protected the peace, through his firm diplomatic skills and through his initiatives to strengthen our nation's defenses:
 - o Diplomatic Efforts
 - Negotiated Camp David Accords, bringing the first peace between Egypt and Israel and establishing a framework for comprehensive peace in the Middle East.
 - Completed SALT negotiations, after 7 years.
 - Negotiated, and ensured ratification of Panama Canal Treaties.
 - Supported majority rule in South Africa, leading to free elections the end of civil war in Zimbabwe.
 - Normalized relations with the People's Republic of China.
 - o Defense
 - Reversed decade-long decline in real defense spending through commitment to 3% annual real growth in defense spending.
 - Revitalized NATO, through new weapons systems and successful efforts to have NATO allies increase their real defense spending.
 - Pursued development of important long-overdue weapons systems, such as TRIDENT submarine, the cruise missile and the MX missile system.
 - Concentrated defense efforts on real needs and improved efficiency, by improving readiness capability (Rapid Deployment Force) and military pay incentives, and by rejecting wasteful initiatives like the B-1 bombers.
 - Firmly opposed Soviet aggression in Afghanistan, through trade and grain embargoes, Olympic boycott, strengthened defense presence in Persian Gulf Region; secured Allied support in behalf of the effort.

2. The President has tackled the tough, long-ignored and politically difficult issues of vital importance to the nation:

o Energy

- developed nation's first comprehensive energy program, whose major components include phased decontrol of natural gas and oil prices, a \$227 billion Windfall Profits Tax, Synthetic Fuels Corporation, massive commitments to development and use of solar and other renewable energy sources (goal: 20% of our energy use by year 2000), Alaska Natural Gas Pipeline, expanded commitment to coal use, far-reaching national conservation effort, and low-income energy assistance;
- achieved first real cooperation with Allies on energy research and development and on energy consumption;
- results of this policy have been importation of 1.5 million barrels of oil per day below 1977 level; 12% reduction of oil imports; tripling of funding for solar energy research and development from last year; more oil drilling rigs in use than at any time in 25 years, and a path toward reducing dependence on foreign oil by 50% by 1990.

o Inflation

- Inherited a decade-long problem of rising inflation, and developed program to reduce it without mandatory wage and price controls, without sacrificing the needs of the poor and disadvantaged, and without postponing politically difficult economic decisions.
- Pursued a voluntary wage and price guideline program which has succeeded in moderating increases, particularly in the face of last year's 120% increase in OPEC prices; cooperation of labor in the anti-inflation efforts due to National Accord agreement of 1979.
- Reduced regulatory burden, through airline, banking and trucking deregulation and by 45% reduction in federal paperwork requirements.
- As a result of the anti-inflation initiatives of last March, inflation is coming down; interest rates have dropped at record rates; and the CPI monthly figures should soon be well within the single digit level.

o Government Bureaucracy

- Reduced the number of government employees by 20,000, with an additional 20,000 reduction expected by year's end because of current hiring freeze.
- Proposed and passed twelve government reorganization plans, involving the streamlining of such areas as civil rights enforcement, emergency preparedness, and White House staff (size reduced 30%).
- Enacted first comprehensive reform of civil service system in over a century.

3. President Carter has restored important values to the federal government:

- Pursued an aggressive bold policy of human rights, which has helped to change our image abroad and which has contributed to a climate of reduced political oppression and increased human rights sensitivities in a number of important countries.
- Increased dramatically funding and staffing for civil rights enforcement; tripled minority procurement by Federal government; pursued affirmative action policies in the courts - through briefs in the Bakke and Weber cases - and in the Administration - through record-level appointments of women, Blacks, Hispanics, and other minorities to senior management positions (and more new women, Black and Hispanic judges than in all previous Administrations combined).
- Adopted policies which have restored ethics and integrity to the federal government: Ethics in Government Act (ending "revolving door" practices and ensuring financial disclosures by federal officials); and creation of Inspectors General in each Department to root out waste, fraud and abuse.
- Pursued the ratification of two additions to the Constitution essential to expanding equal and civil rights: Equal Rights Amendment (helped achieve ratification deadline extension) and D.C. Voter Rights Amendment (helped pass Congress).
- Worked to maintain important civil liberties protected through new privacy legislation, the Foreign Intelligence Surveillance Act, proposed FBI and intelligence age charters, modifications to proposed criminal code, legislation proposed to overturn Stanford Daily de

1950

4. President Carter has compassion and sensitivity for the problems of the poor, minorities, the disadvantaged, the unemployed and the elderly.
- o Developed nation's first comprehensive and rural policies;
 - o Increased aid to state and local governments by 40% (\$25 billion) since 1977, with major increases for mass transit (60%), economic development assistance (98%), urban economic development (3000%), UDAG (created in 1978), public service employment (257%), nutrition assistance (193%), and low-income energy assistance (created in 1979);
 - o Strengthened and expanded vital human services programs: education (73% budget increase since 1977), bilingual and Indian education (117%); Head Start (73%); summer jobs (66%); elderly housing (107%); legal services for the poor (257%); Title XX Day Care (70%);
 - o Led the fight for food stamp reforms ensuring benefit for an additional 2.2 million low income Americans.
 - o Proposed and enacted the largest increase in the minimum wage in American history.
 - o Helped to ease mandatory retirements; rescued Social Security System from near-bankruptcy.
 - o Proposed the most comprehensive national health insurance program ever submitted by an American President, providing expanded coverage for senior citizens, the poor, the elderly and expectant mother and infants, and protecting all Americans from the fear of financial ruin as a result of catastrophic illness.
 - o Proposed a welfare reform program which would lift over 2 million Americans out of poverty, provide over 400,000 public service jobs, expand the earned income tax credit for the working poor and provide \$900 mil in fiscal relief.
 - o Worked to increase employment, through passage of Humphrey-Hawkins Full Employment Act, 50% increase in CETA, enactment of youth employment legislation (near doubling funding to \$4 billion) and proposed \$2 billion additional Youth Act, doubling of Job Corps, enactment of targeted tax credit to promote private sector jobs for the unemployed, one million summer youth jobs annually, and massive job-creating policies in the energy, economic and urban areas.

- Result of employment efforts: more jobs (over 2.5 million) have been added to our workforce than during any other Presidential term in history; employment remains at an all-time high; employment among women and minorities has risen much more rapidly than among population as a whole; 75% of the entire national increase in Black youth employment is due to the President's youth jobs program.
5. President Carter has developed an experienced, practical and sensible approach to the Presidency; he has learned its complexities and he has avoided slogans and rhetoric designed to make solutions appear easy or quick.
- Has learned a great deal on the job, acquiring invaluable experience - experience that cannot be duplicated in any other position.
 - Has approached the Presidency with a deep sense of the Office's historic role and importance.
 - Has pursued solutions to problems which are realistic and practical, achievable and balanced.
 - Has avoided telling the American people that difficult long-standing problems can be solved overnight or through a "quick-fix" bill or procedure; in doing so, has avoided public slogans and oversimplifications.
6. President Carter has developed a program for the 1980's which shows vision, practicality, compassion, and purpose:
- Strengthen efforts to reduce unemployment and combat the recession, increase productivity, restore our industrial base, increase our economic competitiveness and expand our exports.
 - Reduce tax burdens in a targeted, responsible, non-inflationary manner.
 - Achieve the Humphrey-Hawkins goals.
 - Continue and strengthen the National Accord with labor.
 - Expand worker protections.
 - Increase economic and government opportunities for women and minorities.
 - Enact National Health Insurance.
 - Enact Welfare Reform.
 - Ensure continued fiscal strength of Social Security system.

1952

- Continue record of progress, innovation and commitment to education.
- Expand efforts to revitalize our nation's urban areas.
- Ratification of the Equal Rights Amendment.
- Ratification of the D.C. Voter Rights Amendment.
- Continued efforts to ensure effective enforcement of our civil rights laws.
- Enactment of tax reform.
- Enactment of vital election reforms, like public financing of Congressional campaigns and programs designed to facilitate increased voter participation.
- Continued efforts to reduce dependence on foreign oil as to develop energy sources at home, particularly synthetics and renewable energy sources.
- Protection of the environment against efforts by special interests to weaken that protection.
- Stable farm prices and farm exports, increased agricultural productivity, expanded farm exports.
- Continued real growth in defense spending.
- Ratification of strategic arms limitations.
- Continual strong human rights policy.
- Middle East peace agreement.
- Continued strengthening of NATO.
- Continued development of relationship with People's Republic of China.
- Continued support for majority rule in South Africa.

The above list is an illustration, not an exhaustive list of the Administration's program for the 1980's.

1953

Attachment 1.

ADAM WALINSKY
1345 AVENUE OF THE AMERICAS
NEW YORK, N. Y. 10019

Mr. William Casey

Dear Mr. Casey:

At the suggestion of my friend Paul, I enclose a few hurried suggestions for the debate, and/or for the closing address to the nation. Obviously some of the suggested answers are too long; I assume you will in any event be editing much material down to a series of sharp and flexible responses.

I apologize for the rough typing, which is my own. I know you appreciate that my present non-political position requires that I send you this in confidence.

Good luck. You are working for all of us.

A handwritten signature in dark ink, appearing to read "Adam Walinsky", with a stylized flourish at the end.

1954

Dear Paul:

There is of course no point to a discussion of every ~~possible~~ hypothetical question that Governor Reagan might be asked in the debate. What is most important to understand is that every opportunity must be taken to set forth three themes: ~~three~~ strong substance, steady reassurance, and a reminder of President Carter's many disasters. A ~~very~~ preliminary word on each is in order.

Substance is the most vital by far. The polls have been plummeting from its absence; ~~there is no~~ ~~question~~ that is, the lack of any strength and definition to the Reagan campaign is what has left space for, and given credence to, Carter's wild ~~other~~ accusations, which have gone effectively unanswered. Thus most important of all is that the Governor ~~should~~ give answers that are meaty, substantial, something to chew on; not in the sense of being crammed with numbers (although those always help) but in thought.

The matter
A reassurance has of course been well understood by the Governor and his staff. ~~It is not enough to say~~ I would suggest, however, that it is not enough to say that the one is a reassurance. The need is for reassurance that the Governor has the capability to prevent one. Thus moderate sentiments, ~~which are not~~ ~~put forward without substance, are not~~ reassuring. This is also true on the economy: better a thoughtful analysis of five government programs than that should be dropped than a general assurance that all government programs should be continued; the latter only suggests moderate incompetence, which is Carter to the life. The issue is trust.

As to ~~Andre~~ Carter, perhaps his most remarkable political characteristic is his ability to obliterate yesterday's disaster--not with a triumph, but with another disaster. The first budgets, Andrew Young, the abortive helicopter rescue--all these have been almost forgotten. In context, and with a slight exaggeration, it is almost as if the ~~disasters~~ ^{disasters} must be reminded ~~of~~ ^{of} the dozen outrages and blunders that made people swear to themselves that they would never vote ~~for~~ ^{for} that man again.

4 The principal of the school

1955

the answers are too long, because

A few examples follow. Obviously, the exact phrasing of each question cannot be anticipated. But every effort should be made to give answers that incorporate the themes of the statements ~~above~~ set forth.

~~Many~~ As to a question involving war or its risk: Nothing in ~~this~~ this dreary campaign has been more offensive or outrageous than Mr. Carter's attempt to portray me as some war-mongering idiot. My son is a dancer. I want to see his legs give joy to audiences, not be left ~~stranded~~ ~~and~~ twisted and shattered on some foreign battlefield. I would not run for President if I did not believe that the foreign policy of this Administration was deeply misguided, and dangerous to all of our children.

We have avoided conflict with the Soviet Union, for the last thirty years, because we were strong, ~~and~~ because we were resolute, and because ~~at least~~ six Presidents made it constantly clear that we knew our interests; ~~and that~~ that we would reward ~~our friends~~ and safeguard our friends, and act appropriately toward our adversaries. We have made our mistakes. Vietnam, for example, though it was a noble cause and our motives were of the best, was still a blunder and a tragic error, and there is no measuring what we paid for that blunder. But as at least we have avoided all-out conflict, ~~because we have~~ and we have preserved our security and that of our allies. ~~closer~~ →

~~But the policies and actions of this Administration have seriously threaten to undermine that security. Remember: Mr. Carter began by fulfilling his 1976 campaign pledge to slash away at the defense budget. He refused to adequately modernize our forces; his Secretary of State announced that Mr. Carter and Secretary Brezhnev, Brezhnev shared the same goals and hopes for the world; and almost every American ally around the world was denounced as a threat to human rights. Then, when the Soviets invaded Afghanistan, Mr. Carter discovered that his goals were perhaps different from the Russians', and he announced-- without consulting Congress-- that the United States a "Carter doctrine" that might at any time commit us to war, with totally inadequate forces, in any of a dozen nations in the middle East. On New Year's Eve of 1977(1), he toasted the Shah as his great guide and teacher, and our closest ally; when the Shah was challenged, Mr. Carter pretended not to know him, he tried to appease the Ayatollah, even when the hostages were taken;~~

1956

If we are to continue to preserve the peace, we need ~~not~~ ^{not} to heve to a few simple truths. They are hard truths, but they are not extraordinarily complex.

First, we must rebuild our relations ~~with~~ ^{with} our friends, remembering that while the Soviets alone ~~far~~ ^{far} outnumber us, and have far larger armies, we and ~~our~~ ^{our} allies together are a real match for them. That requires above all ~~consistency~~ ^{consistency}, constancy, steadiness, and intelligence. We cannot, as did ~~Mr. Carter~~ ^{Mr. Carter} this Administration, ~~begin~~ ^{begin} by proclaiming that Mr. Carter and Secretary Brezhnev share the same hopes and goals for the world, and then two years later ~~discover~~ ^{discover} that the Soviets are a threat to peace; and ~~announce~~ ^{announce} a new "Carter ~~doctrine~~ ^{doctrine}" that threatens to commit us to war in any of a dozen Middle Eastern nations. We cannot, as did Mr. Carter, embrace the Shah ~~of~~ ^{of} Iran on New Year's Eve as ~~his~~ ^{his} great guide and ally and teacher, and then, when he is in difficulty, pretend not to know him. We cannot spend a year appeasing the Ayatollah, and then suddenly send a tiny ~~force~~ ^{force} inadequate force to rescue the hostages, and leave wrecked helicopters and dying boys in the middle of the Iranian wilderness-- and then, to top it off, propose to send those Iranians ~~half~~ ^{half} a billion dollars worth of arms as ransom money-- ~~arms~~ ^{arms} which they are ~~likely~~ ^{likely} just wild enough to one day turn against ~~us~~ ^{us}. Nor can we press our European allies, the indispensable key to world security, to run political risks to accept new weapons on their soil-- and then, after they have told us they will accept, ~~suddenly~~ ^{suddenly} cancel the weapons. ~~That~~ ^{That} I believe in our allies and our alliances, and I would act accordingly. That is, I believe, ~~why~~ ^{why} what may be the most respected publication in the world, the Economist, has for the first time in its history endorsed an American presidential candidate. Not because I am the best candidate ever to run for the Presidency, but because there is the greatest difference between two candidates, at a time of risk and ~~great~~ ^{great} common peril for us all. (Note: At all costs use the Economist endorsement, strongly; ~~it is the only endorsement we can get at the moment~~ ^{it is the only endorsement we can get at the moment} in our present uncertainty and self-doubt, we are ready to take anyone's word before our own.)

Second, we must rebuild our own defensive forces. ~~My~~ ^{My} ~~subject~~ ^{subject} This subject deserves a question of its own; here I would say only that ~~the~~ ^{the} ~~importance of the~~ ^{importance of the} ~~security of the nation~~ ^{security of the nation} is too important to be ~~trifled~~ ^{trifled} with as Mr. Carter has done, in his ~~unhappy~~ ^{unhappy} effort to ~~convince~~ ^{convince} us that he is increasing the defense budget for 1981 by 3 percent-- by reducing the outlays for 1980, so as to make 1981 seem bigger.

all without consulting Congress or our allies.

Israel or Saudi Arabia or others of our friends.

if London

Keep marginal notes

1957

~~That,~~
~~which is the subject of the~~

~~the~~

Third, ~~as~~ as we rebuild our alliances and our strength, it will be time to negotiate with the Soviets, seeking real and substantial reductions in nuclear arms. Let us understand that ~~that~~ while Mr. Carter accuses me of ~~not~~ not supporting the SALT II treaty, that treaty was disapproved by the ~~the~~ Senate Armed Services committee ~~was~~ -- Democrats and Republicans -- by a vote of 10 to nothing, with 7 abstentions. That treaty ~~was~~ -- negotiated in ~~a~~ desperation and indecision and weakness -- must be renegotiated, because otherwise it cannot and should not be ratified by the United States Senate.

As to a question ~~on~~ that speaks to race, or the tone of the campaign thus far, or any similar opening, try to include the following:

The issue of racial justice is of enormous importance. This is a nation of minorities) ~~in~~ most of us are just a few generations, perhaps only one or two, removed from immigrant origins, ~~and~~ and from the hardships and discriminations that accompanied those origins. ~~These~~ These sensitive issues and relationships are far too important to be used, ~~for~~. I made ~~my~~ appearance, after my nomination, before the Urban League, to ~~speech~~ set forth my program for enhancing black opportunities, ~~helping~~ helping poor people to escape the degrading plantation economy of welfare, and join the American work force, to earn their bread and their ~~for~~ children's futures as do the rest of us. I didn't do that for votes -- I know that the Democratic party has commanded the allegiance of the great majority of black voters for forty years. I did it because a President, no matter who elects him, who supports him or ~~opposes~~ his opponent, is President of all the people, and owes a duty to all of them, above all a duty to recognize ~~that~~ that we all act as Americans and citizens, and are not to be divided one from the other. Should it ever be necessary for me to demand the resignation

of my first major

1958

NOTE ON
MAY 4 1958:

1. He was Terrible.
2. Carter had to
get rid of him.
3. The Jewish Rite
is how they
is still 30 percent
undecided.
4. There are no
other the other
way.

of a member of my Administration for wholesale incompetence and disobedience— as Mr. Carter did with Andrew Young— I would never allow myself to suggest ~~that~~ it to be suggested or believed, as did Mr. Carter for many long and awful weeks, that some ethnic or religious group had been responsible for "getting" that official. ~~that official~~

On a question about the negative character of the campaign generally, or of the debate in particular, I would try to include:

Unfortunately, one of the things that Presidents have taught us in recent years is that ~~what they do not do~~ what they do not do is equally as important as what they do. President Johnson ~~and~~ taught us that a President should not involve us in a land war in Asia. President Nixon taught us that a President should not abuse his power and corrupt the system of justice. Unhappily, President Carter has ~~taught us some lessons of their own~~ and his Administration have taught us some lessons of their own. They have taught us that if you debase and debauch the currency, inflation is a cruel tax on us all. They have taught us that ~~the~~ wild and random swings to the right or left, in a hopeless effort to keep up with the opinion pollsters, are no substitute for a calm and steady course, guided by reason and principle. I have had my differences with Democratic leaders: with John and Robert Kennedy, with Lyndon Johnson and Robert Humphrey. ~~Many of their policies were not mine, although I believe that we agreed on the fundamental principles of this nation. But at least these were men who stood somewhere, men with whom it was possible to conduct a reasoned dialogue because they discussed the issues, because they had positions, and that dialogue helped to enlighten and enrich the nation. They did not, and I will not, shift like a weathervane with every passing political wind, throwing off mud and slander, and words like "racist" with every turn. And if I do nothing else as President, I would hope to help us recapture, in our political life, a sense of dignity and decency in which all can put forward their views without fear of personal attack and denigration.~~

~~the~~

~~the~~

Reg. Morgan 1958

1959

On the economy, I have only two suggestions. One is to use as many numbers as possible, in the old JFK fashion. The other is to find space for the following:

The people of this country-- ~~those~~ who are unemployed, those whose incomes and savings are being eaten up by inflation-- we have turned to Mr. Carter for help, and he has treated us just as he treated that poor rabbit who swam out to his rowboat last summer (1979)-- he has beaten us over the head with the oars.

Time is running short. I could of course add more, but I want to get this much to you as soon as possible. I have one other suggestion now, for a ~~few~~ closing statement. Most of the country has now heard the Governor's standard close. I would add to it one quotation, particularly apt; it is from Senator Robert Kennedy:

Our future may lie beyond our vision, but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, ~~it is the~~ it is the only way we can live.

1960

TIMMONS AND COMPANY, INCORPORATED
1850 K STREET, N.W. WASHINGTON, D.C. 20006 (202) 331-1790

August 26, 1980

WILLIAM E. TIMMONS
President

TOM C. KOROLOGOS
*Vice President and
Director of Legislative Affairs*

MICHAEL L. REED
*Vice President and
Secretary*

JOHN M. NUGENT, JR.
Vice President

HOWARD C. PASTER
Vice President

MICHAEL J. BATES
Director of Research

MEMORANDUM FOR:

~~WILLIAM E. TIMMONS~~

FROM:

MICHAEL J. BATES *MB*

SUBJECT:

Carter Misinformation Strategy

D-3
TO EDMEESE -
Worth noting.
B

I have been contacted by Mike Owen, Representative Marjorie Holt's administrative assistant, about a tip Mrs. Holt received from a prominent constituent who has strong social connections among key Democratic Party and White House leaders.

The constituent, while attending a cocktail party after the Democratic Convention, overheard a conversation by some Carter campaign staffers about a "misinformation strategy."

The speakers were gleefully extolling Hamilton Jordan's placement of administration officials at government centers in foreign capitals (Bonn and Tokyo were mentioned) to provide false information worthy of foreign press coverage, at a designated time, to lure Reagan or Bush into eliciting a response which would substantially embarrass the Reagan campaign. These administration officials are holding positions worthy of foreign press attention and have credibility to generate news.

The Department of Agriculture was specifically mentioned.

The speakers were also lamenting Secretary of State Muskie's refusal to play ball, which precluded the use of Foreign Service personnel.

1961

D-260

TO: Bob Gray, Bill Casey, Ed Meese ✓
FROM: Dan Jones
RE: Jimmy Carter's Schedule October 28-November 3
DATE: October 27, 1980

According to latest information from reliable White House mole @ 6:30 on October 27, the following is President Carter's itinerary for the remainder of the campaign.

October 29	Pittsburg, Pennsylvania Rochester, New York Newark, New Jersey Philadelphia, Pennsylvania
October 30	Philadelphia, Pennsylvania New York, New York Bay City, Michigan St. Louis, Missouri Columbia, South Carolina
October 31	Columbia, South Carolina Lakeland, Florida Memphis, Tennessee Jackson, Mississippi Houston, Texas
November 1	Houston, Texas Brownsville, Texas San Antonio, Texas Abilene, Texas Fort Worth, Texas Chicago, Illinois
November 2	Chicago, Illinois Detroit, Michigan Philadelphia, Pennsylvania
November 3	Philadelphia, Pennsylvania Akron, Ohio St. Louis, Missouri Portland, Oregon Seattle, Washington
November 4	Georgia

***Attached is recent White House memo re: certain economic information

1962

1962

D-42

October 2, 1980

MEMORANDUM

TO: Bill Casey, Ed Meese, Bill Timmons, Tony Dolan
FROM: ^{RMG} Robert M. Garrick, Director, Research & Policy
SUBJECT: President and Mrs. Carter's Itineraries

For your information on Thursday 9 October, President Carter will visit Bristol, Tennessee; Nashville, Tennessee; and Winston-Salem, North Carolina.

x x x

On Friday 3 October Rosalyn Carter will on this date visit Erie, Pennsylvania. Her first stop is the Singer American Meter Plant. She then goes to Buffalo to the Richmond Senior Citizens Center. She then travels to Albany, New York for a meeting at the American Inn for a fund raiser. At 8:55 p.m. she is in Schenectady for another fund raiser returning to Andrews approximately 11:05 p.m. on Friday.

x x x

RMG:jmw

1963

D-37

MEMORANDUM

October 7, 1980

TO: Ed Meese, Bill Casev, Bill Timmons, Tony Dolan, Stef Halper
FROM: Robert M. Garrick
SUBJECT: President's Schedule

Thursday	October 9	Florida: Tallahassee fundraiser dinner Democratic candidates and members of State House of Representatives. While there he will sign H.R. 7859 Refugee Education and Assistance Act of 1980. Overnight in Tallahassee.
Friday	October 10	Florida: St. Petersburg - meets with senior citizens Back to White House early afternoon
Monday	October 13	NYC, Illinois, Missouri NYC - fundraiser to sign National Italian American Heritage Proclamation. Columbus Day Parade , Early afternoon: Marion, Illinois - will tour coal mine. St. Louis, Mo. - town meeting suburban Normandy township Back to DC that night

3:05 cont
Wilkinson Co. Airport

Old Ben Coal Mine

#25

West Frankfort, IL

Reese will cover

3:45 PM arriving present
for town

4:00 PM town conference - remarks
to owner, open press

4:20 remarks conclude

1964

Mrs. Carter's Schedule

October 8 - - Miami, Penscola, Jacksonville

8:40 Leave Andrews AFB

11:05 Arrive Miami
 to Metro Senior Center
 1402 N.W. 7th Ave.

11:35 Press Comments

11:55 Seniors Reception in cafeteria

1:10 Departs enroute to Temple Israel
 137 N.E. 19th Street

1:20 Arrives at Temple Israel

1:25 Carter-Mondale Reception for Jewish Community

3:10 Leaves for Pensecola

3:40 Arrives : Press comments at airport

4:15 Back on plane: leave for Jacksonville

6:15 Arrives: Press conference at airport

6:55 Motorcade to Riverside Garden Club
 1005 Riverside Drive

7:10 DuVall County - fundraiser

8:15 Depart Jacksonville

BACK TO D.C.

1965

October 27, 1980

REC'D
D-182
TO Jerry Garmon
B

MEMORANDUM

TO: ~~Bill Casey, Ed Meese, Bill Timmons, Steve Halper, Tony Doherty~~
FROM: Bob Garrick
RE: Presidential Itinerary

Wednesday, October 29:

9:30 a.m. Departs Cleveland
11:00 a.m. Trinity Episcopal Cathedral, Town Hall Meeting
3:30 a.m. John F. Kennedy Square, Rochester, New York
6:45 p.m. Bethany Baptist Church, Newark, New Jersey
7:35 p.m. Robert Treat Hotel (Grand Ballroom), Newark, N.J.
RON at Philadelphia

Thursday, October 30:

New York City, Rally in garment district (a.m.)
Bay City, Saginaw, Midland-Tri City Area in Michigan
Then to St. Louis for campaign events
RON at Columbia, South Carolina

Friday, October 31:

Leaves Columbia, S.C., in the a.m. for Lakeland, FL, then
Memphis, Tennessee
Jackson, Mississippi -- series of campaign events
Houston -- campaign appearance and RON

1966

Saturday, November 1:

A.M. goes to Brownsville, Texas, San Antonio, Abeline,
Fort Worth, series of campaign events
Chicago — RON

Sunday, November 2:

Chicago area
Leaves in mid-afternoon for further campaign travel

1967

Terry Garrick
B7

OCT. 23 1980

D-173

October 23, 1980

MEMORANDUM

TO: ~~Bill Casey, Ed Meese, Bill Timmons, Stef Halper, Tony Spina~~

FROM: Bob Garrick

RE: Presidential Itinerary

27 October (Monday)

a.m. Huntington, W.Va.

p.m. Cleveland, Ohio Overnight

28 October (Tuesday)

Debate preparation

29 October (Wednesday)

Departs Cleveland to Pennys, N.Y. and N.J.

30 October (Thursday)

Pittsburgh, PA

Rochester, NY

Newark, NJ

Overnight - further campaign travel

Going to the West Coast again

Voting in Plains, GA

1968

October 17, 1980

Terry Carter
By
D-185

MEMORANDUM

TO: ~~Bill Casey, Ed Meuse, Bill Timmons, Tony Golan~~
FROM: Bob Garrick
RE: Presidential Scheduling

On Tuesday, October 21, a.m., Carter will hold a town hall meeting in Miami, Florida at Edisto Senior High School. This will be followed by a Democratic National Committee Bar-b-Q in Orlando, Florida. Later in the day there is a downtown rally-fundraiser in New Orleans where they will overnight.

On Wednesday, October 22, Carter will be in Texas: East Texas, Beaumont, Waco, Texarcana. His estimated time of arrival at Andrews Air Force Base is approximately 11:00 p.m. (EDT) that night.

X X X

RMG:jmw

1969

Carter Campaign Schedule

Monday, October 20

Pittsburgh

Youngstown

NYC - DNC Fundraiser

Back to White House

Tuesday, October 21

Miami - Town Meeting
Edison Senior High School

Orlando - DNC Fundraiser

New Orleans - Downtown Rally

Overnight in New Orleans

Wednesday, October 22

East Texas

Beaumont

Waco

Texarcana

Back to White House

1970

October 3, 1980

OCT 13 1980
TO Terry Carter
FYI
BT

MEMORANDUM

TO: Bill Casey, Ed Heese, Bill Timmons, Tony Dolan,
Steve Halper
FROM: Bob M. Garrick *RMG* Director, Research & Policy
SUBJECT: Presidential Itinerary

D-187

Herewith is the schedule for President Carter on Monday, 6 October. Mid-morning he will arrive in Milwaukee, Wisconsin and visit the West Campus of Milwaukee Area Technology in a community by the name of West Alice. Mid-afternoon he goes to Chicago for a neighborhood meeting in Dupage County. Late afternoon he goes to a voter registration rally in Chicago and then to a Democrat National fundraiser, returning to Andrews approximately 10:00 p.m. (the exact times were not available).

x x x

RMG:jw

P.S. Through an unconfirmed source:

Carter and Kennedy will be in Fairfax, Va. on Tuesday, October 7 at the Woodburn Mental Health Clinic adjacent to the Fairfax Hospital to sign a bill (number not given).

1971

To Terry Carmen
D-105

MEMORANDUM

October 30, 1980

TO: Bill Casey, Ed Meese, Bill Timmons, Stef Halper, Tony Dolan
FROM: Bob Garrick
RE: Additions to Carter's Schedule

Friday, October 31:

8:15 a.m. Columbia, S.C. area rally with students and area residents at Township Auditorium
9:15 a.m. Reception for state and local Democratic leaders at Governor's mansion
10:00 a.m. Departs West Columbia enroute to Lakeland, FL
11:00 a.m. Arrives Lakeland Municipal AP
11:45 a.m. Rally at Lakeland Civic Center Courtyard
1:40 p.m. Enroute to Memphis, TN
2:30 p.m. Arrives Memphis International AP
2:50 p.m. Town Hall meeting with area residents at Hangar 6 at the Federal Express Complex
3:40 p.m. Leaves Memphis for Jackson, Miss.
4:45 p.m. Jackson-Rankin County AP, Jackson, Miss.
5:15 p.m. Rally with residents at Governor's mansion
6:15 p.m. Leaves Jackson en route to Houston, Texas
7:45 p.m. Arrives Hobby International AP, Houston
8:00 p.m. Rally with area residents at Miller Outdoor Theater in Herman Park, Houston
9:00 p.m. Hotel overnight

Saturday, November 1: (several additions)

After stops in Brownsville, San Antonio, Abeline and Fort Worth Carter
Departs for Milwaukee -- campaign event
Departs for Chicago

1972

Sunday, November 2: (several additions)

Remains in the Chicago area until mid-afternoon

Departs for Detroit

Campaign rally at Kobo Hall

Leaves Detroit early evening en route to Philadelphia for campaign appearance and spends the night.

Monday, November 3:

Leaves Philadelphia en route to Akron, Ohio

Leaves Akron for Granite City, IL by way of St. Louis, Missouri AP and Springfield, MI, for campaign events

Leaves Springfield, Missouri in mid-afternoon for a campaign appearance

Early in the evening Carter departs for Los Angeles

Leaves Los Angeles for Portland, OR - campaign event

Leaves Portland for Seattle, WA - campaign event

Late Monday evening Carter leaves Seattle and arrives early Tuesday morning in Plains, GA where he will vote.

Later in the day he travels back to Washington, DC

x x x

RMG:jmw

1973

Reagan & Bush

D-266

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

MEMORANDUM TO: ED MEESE
ELIZABETH DOLE
BOB GARRICK

October 16, 1980

FROM: Bill Casey

I have information on which I place some credence that Carter is likely, while visiting Texas next week, to offer some relief to small royalty owners under the windfall profits tax. Small land owners receiving royalty checks are outraged at finding themselves subject to windfall profits tax. It would be a pity if Carter were permitted to escape the onus of this after the Governor has been taking a lead in opposing the windfall profit tax. We must get some statement together to preempt this by the end of the week. Liz Dole issued the attached memo on this a while ago.

Someone should call Bill Gifford, who can be reached at the Bechtel office in Washington -- 393-4747 -- or at his home 703/370-6722. Relief possibilities are being worked on in the Treasury for Carter and Gifford may be able to provide some information on this. In dealing with him do not ask about the source of his information or talk about the Treasury, but say that George Shultz has told me that he has some important information on this issue. Also, someone should talk to Congressman Bill Archer, who is the key guy in Congress seeking to protect the interests of these small royalty holders.

W. J. C.

1974

D-400

OCTOBER 14, 1980

CONFIDENTIAL

PROVIDED FOR:

BY: WFCF

FROM:

SCOTT FAULKNER **SF**

SUBJECT:

POSSIBLE TRANSITION
CALENDAR

It is vitally important that certain aspects of transition for the Reagan Administration are in place either before election day or immediately thereafter. These aspects are:

- Teams of individuals who can immediately take up positions at the White House and major federal agencies to begin the transition process. These teams would arrive within days after the election to begin liaison work and prepare initial reports for the senior members of the transition staff.
- Transition task forces divided by agency comprised of senior level advisers and support staff to:
 - 1) Identify organizational flows and functions for their respective agencies.
 - 2) Identify those individuals who should be removed from their present positions and how they can be removed.
 - 3) Identify those individuals who merit consideration for agency positions.
 - 4) Prepare alternatives to the FY 81 and FY 82 Budget. Undoubtedly there will be recessions and supplements to FY 81 spending that need to be considered in the Spring of 1981. The FY 81 Budget will be issued by the outgoing Carter Administration in January and acted on by the Congress through September of 1981.
 - 5) Prepare possible initiatives to be taken by President Reagan in his first months in office.
- Transition congressional liaison staff to provide input to the late March session of possible legislative interests of the President-elect.
- Transition personnel staff to create a job bank for the staff needed to support both the transition and the new Administration.

1975

CONTINUING

TRANSITION CHALLENGES 2. 2

TRANSITION CHALLENGES

Number of actions are taking place before the votes are counted on November 4. Several projects are already moving ahead:

- The Heritage Foundation has, for almost a year, been compiling information on government agencies. Included in this information are organization charts, personnel rosters, and lists of those individuals who should be removed and how they can be removed. There are also personnel files with resumes of qualified individuals who could replace present agency staff.

Hopefully the Heritage information cannot be made available to the Reagan Bush Committee until after the election so the information was compiled as a "nonpartisan" project. However, informal contact has been established through various individuals on the campaign staff which insured easy access to the Heritage data immediately after the election. The data appears to be well researched, objective, and could provide an excellent framework for the official transition.

- Through various inside sources at the White House and executive agencies a number of individuals on the Reagan Bush Committee, on Republican Hill staffs, and at Heritage have obtained documents relating to agency operations and personnel. There is also the opportunity for one or two RB staff to have a tour and maybe ongoing access to the Executive Office complex prior to election day. This access would save precious time in orienting the rest of the transition staff to White House operations.
- In addition to the Heritage Foundation resume bank the Planning Task Force and the Campaign Personnel Office have been collecting transition and administration oriented resumes. Additional guidance and coordination could assure these diverse resume banks would be in a position to immediately assist the Transition staff after November 4.
- The Congress has adjourned until November 10 when a late Bush session will occur. There are many senior level Hill staff who could be detailed to assist in preparing transition material or in planning out the President-elect's strategy for the late Bush session between now and the election. A roster of some of these senior staffers was compiled in the September 12 memo.

1976

CONFIDENTIAL

TRANSITION CALENDAR P.3

AFTER THE ELECTIONS

If the election certifies Ronald Reagan the winner on November 4 or early in the morning on November 5 the transition needs to move ahead as quickly as possible:

- The first step should be the establishment of an advance team of transition staff at every agency. These teams, possibly comprised of two people each, would be in place no later than 12:00 p.m. on November 6. By having two man units in place so quickly after the election there would be insurance that most vital documents cannot be destroyed or otherwise rendered useless to the transition staff.

The transition units would be charged with two main functions:

- 1) The drafting of an initial transition report on each agency based on first hand interviews and tours which will include, but not be limited to:
 - A complete roster of present staff including salaries and responsibilities.
 - An organization chart showing policy and information flows.
 - An initial indication of where savings may be realized through leaving position vacant, abolishing those positions, or consolidating staff responsibilities.
 - A list of possible problems, concerns, or issues that are unique to that agency which transition staff should be made aware.

This report will serve to fill in missing information in the Heritage files and in the Planning Task Force Files. It will also help certify the accuracy of the data already known and identify those agencies that may be covering up data already known through independent investigation.

The reports will be submitted to the Transition Office no later than November 17 and will be used as the primary working papers for the senior staff of the Transition.

1977

CONFIDENTIAL

TRANSITION CALENDAR P. 4

- 2) The two man units will establish the first contact with the agencies and lay the ground work for more senior level transition staff to move into liaison roles later in the transition process. The units will be able to monitor any efforts by the outgoing Carter Administration to save political appointees by "submerging" them into the Civil Service or other efforts to consolidate policy prior to January 20, 1981.

The initial transition team could be comprised of individuals from the Reagan Bush Committee, or of staff detailed from Congress, DIT, Maritime, and other groups that have worked closely with the Republican effort. Therefore, in most cases no financial obligation will be needed for the initial team members.

- By having interim transition units in place immediately, with reports on ongoing priorities, those involved in the higher levels of the Transition will be able to devote their time to broader policy projects and, in some cases, take needed time to rest from the campaign.
- A critical need immediately after the election is for a clear plan regarding the long term vision of the nation. This will be the first time in decades when there will be a Republican Congress with a Republican President. The media will pay close attention to how Reagan handles this unique situation. It will be a great opportunity for Reagan to establish a working rapport with the Congress prior to having to deal with it. No President since Johnson in his first two years has really had cordial relations with Congress. Reagan, by making some overtures early, could usher in a new era where there is mutual respect and communication even if Congress across to disagree. In a separate memorandum a step by step Congressional program will be outlined.
- For the vast array of positions that will be available in the new Administration a transition personnel apparatus should be created. To assure continuity of organization with that presently in existence within the Reagan Bush campaign and at the White House two structures should be established.

The White House currently has three personnel offices. The Presidential Personnel Office handles the recruitment and clearance of Presidential appointments. This operation in many ways parallels the work presently being done by the Planning Task Force. Therefore the PTF operation should continue its work and scope through the transition and could evolve into the existing structure at the White House.

1978

SECRET

The Office of Personnel Management, Office of Human Resources Personnel
Office, and Personnel Division of the Office of Administration,
will be responsible for the recruitment staff within
the Executive Office of the President. These operations
serve a different purpose from that of the
Federal Personnel Office and have usually been left
to the various White House organizations.

For the new position the thousands of lower level positions
the recruitment staff for the higher level offices will
be made available by individuals as well as the principles
of the Executive Office of the President. The possibility
of recruitment of others who may be able to provide information to the
President, Congress, or foreign powers is higher for lower
level staff than higher levels. A comprehensive screening
system will be in place before December 1. An apparatus
to process recruitment and to expand the existing job resume
will be in place by October 17. A computer to store
recruitment data to cross reference applicants to job
opportunities will be in place as soon as practical, as the
volume of recruitment will be far greater than the thousands
recruited in the campaign. To reflect the distinctly
different nature of this operation will be from the POF this
operation will be a separate entity within the transition
operation.

SECRET

1979

Memo

UC Carter
13 + P2 mm N/A
A.P.

Natl
CARTER SS 1- 4700
2000 LST NW.

Manufactured in

TO
1/1/79

1981

Dec. 1st 1980

D-6

October 4, 1980

MEMORANDUM TO: Bill Timmons

FROM: Bob Gray ✓

Attached is such schedule as our office has been able to obtain of Carter's plans for next week. Perhaps this adds some information to what you have.

Of course you will be alerting the appropriate local and state organizations and where possible getting the Reagan poster bearers to prevent a show of absolute unanimity.

One point which may not have occurred is this: If we could have your local people indicate to us the issues of great controversy in areas where Carter is going to appear, we can have some impact on his local press conferences and on the press covering the town meetings of which he is so fond.

Attachment



1982

President Carter's Schedule
Week of October 5

The President is scheduled for at least two days of campaigning
next week.

On Monday, he will be in Milwaukee in the morning, Chicago --
in the afternoon and evening. On Thursday he is due to be
in Bristol Tenn. and Nashville and Winston Salem, N.C.

Milwaukee--Walking tour of city/back yard meeting at Loftus
Monday residence/tour of Milwaukee Technical Institute

Chicago--Rally at Daley Bicentennial Plaza (4:45 p.m.) /
Monday DNC fundraiser (7:30)

Bristol-DNC fundraiser/ media pool interviews

Thurs.
Nashville--Midmorning town meeting/DNC fundraiser

Thurs.
Winston-Salem--DNC fundraiser
Thurs.

2002

D-284

THE WHITE HOUSE
WASHINGTON

October 24, 1980

MEMORANDUM FOR THE CABINET

FROM: ANNE WEXLER *fwj*
AL MCDONALD *AM*

SUBJECT: ECONOMIC INFORMATION

Enclosed for your information are three items:

1. Guidance on September CPI.
2. Update on Economic Indicators
(10/20/80).
3. Talking points: Housing Cost
Reduction Demonstration.

These documents are not for public distribution, but should be given to your key appointed officials. It is important that these materials be followed closely when talking about economic matters. Your assistance with this will be greatly appreciated.

*Duplicate
D-241 -
no postage
EW*

1984

Guidance: on September CPI

CPI rose 1.0 percent -- an annual rate of 12.7 percent.

<u>Category</u>	<u>% Rise</u>
Food	1.6
Used Car Prices	5.6
College Tuition	5.1
Airline and Bus Fares	3.6
Apparel	1.3

Guidance:

1. One month's statistic is not a proper measure of the status of inflation. The annual rate is the monthly number multiplied by 12 -- very small monthly fluctuations are thus blown into large ones.
2. Taking a somewhat longer look, the CPI rose at a 7 percent rate over the past three months, and at a 9.3 percent rate over the past six months, compared to the 13 percent rate of 1979 and the 18-19 percent early this year at the peak of the oil price rises.
3. Nevertheless, the September increase in the CPI reminds us that inflation is still our number one problem.
4. In that respect, it confirms the wisdom of the President's decision to avoid both an election-year tax cut and a large anti-recession spending program.
5. It is also a dramatic reminder that our economy is very sensitive to inflation and that the nation cannot afford to gamble its economic health on a massive inflationary stimulus, as Governor Reagan would have us do with his 30 percent Kemp-Roth tax cut and his other budgetary proposals.

1985

Background

- o The Administration forecast presented in mid-July calls for the recession to level off in the fourth quarter of 1980, with recovery in 1981. This pattern is broadly consistent with private forecasts and with CBO's forecast.
- o Early data suggested to some that the recession might be worse than our forecast. At the beginning of the recession, activity fell steeply:
 - from January to June the unemployment rate jumped from a stable 6 percent to 7-3/4 percent;
 - from January to June auto sales and housing starts plummeted;
 - real GNP in the second-quarter fell a record 9.6 percent (annual rate)
- o The beginning of the recession was steep but concentrated: 90 percent of this drop in GNP was in autos and housing.
- o In June the nature of the recession changed: the decline spread to other sectors -- but at a much slower pace.
- o During the summer and early fall signs began to accumulate that the recession was ending.

Recent Numbers

The first official estimate of GNP in the 3rd quarter is for a growth of 1 percent (annual rate). This makes this the shortest recession in history.

The index of leading economic indicators increased in June, July and 1.9 percent in August.

Housing starts rose 9 percent in September and are 70 percent above their May level. Aggregate hours worked in construction rose 3.6 percent in September.

Domestic auto sales are 19 percent above their June low.

The unemployment rate fell to 7.5 percent in September.
[peak = 7.81 in May and July]

Employment increased 200,000 from July to September.
Total hours worked increased 0.6 percent in September.
Aggregate hours worked in manufacturing rose 0.9 percent

Industrial production rose 1 percent in September (after a rise of 0.6 percent in August)

Total retail sales increased faster than inflation in September.

2005

REDUCING HOUSING COSTS DEMONSTRATION

On October 22, Inflation Adviser Alfred Kahn and Assistant HUD Secretary Lawrence Simons announced the results of a HUD-sponsored project designed to demonstrate how builders and local government officials can cooperate to cut the cost of new home construction. The project shows that new homes can cost between 20% and 33% less than comparable housing units if:

- local governments expedite and consolidate licensing and permitting procedures, thus saving developers excessive financing/carrying costs;
- local building codes are modified to allow the use of less expensive and less time-consuming materials which do not sacrifice safety or the quality of construction;
- local zoning ordinances are changed -- without significant alteration of environmental standards -- to allow more efficient use of available sites;
- builders make use of innovative designs which employ contemporary engineering standards.

BACKGROUND

This demonstration project began after the National Conference on Housing Costs (February, 1979) determined excessive, uncoordinated state and local government regulations are a direct cause of increasing costs. The White House Conference on State and Local Government Reform (January, 1980) reinforced this. The National Association of Home Builders and other interested groups recommended demonstration projects.

Four sites were chosen: Hayward, California; Shreveport; suburban Pittsburgh; and suburban Portland, Oregon. The first three sites have produced impressive construction cost savings.

RESULTS

In Hayward, 56 two-, three-, and four-bedroom townhouse units will be constructed at one location. They will sell for \$53,000 to \$65,000 -- 33% less than comparable homes in the area. Costs are being saved by sharing sewer connections between back-to-back townhomes; by building homes at a density of 16.4 per acre; and by building energy-efficient features such as low-infiltration double-glazed windows into the homes. Permit-processing time was cut by nineteen months for the Hayward project.

In Shreveport, one of three housing sites is already open (September 17), a remarkable achievement given that the cost reduction project was begun in May. Seventy-five one- to three-bedroom homes will be constructed, costing between \$48,950 and \$59,950. Each unit includes a two-car garage or carport. The above prices are \$15,000 less than prices for comparable units at a suburban location. Costs were trimmed by eliminating front sidewalks;

--more--

2006

by reducing slightly the size of standard windows by using plastic pipes; and by modifying standard roof construction and roof fire-proofing practices. Permits were granted six months earlier in Shreveport.

In suburban Pittsburgh, 16 detached homes will be completed next month on two sites. The homes will vary in size from 900 square feet to 1050 square feet and will cost between \$42,000 and \$45,600 -- about 24% less than similar homes using conventional construction methods. The savings result in part from the use of plastic pipe; a reduction in the number of catch basins for storm water; and construction techniques which require fewer wall studs and window jacks. Local government cut a full year from the normal construction permit issuance process.

In suburban Portland, progress on construction of 100 single-family detached homes has been slowed by several factors, including the introduction of new zoning ordinances for the area and the eruption of Mount St. Helens.

CONCLUSIONS

This small demonstration, using no federal funds and requiring a very short planning period, has shown that significant home construction cost savings are possible when local governments and builders cooperate. Although only four communities are involved in the project, similar results can be achieved in most communities nationwide.

These projects have the full support and cooperation of the mayors and county commissioners in the areas involved, as well as the enthusiastic participation of private developers. The result will be lower-cost housing for the citizens of their communities. This is exactly what regulatory reform is all about.

2007

LITTLE WHITE HOUSE LIES

D-285

(Same as D-122)
not printed

Considerable controversy swirls around the Producer Price Index this week. Because the PPI measures the rate of increase in the nation's wholesale prices rather than retail, it is an important indication of the inflation trend. Needless to say, the several elements comprising the formula mix are determinative of the final PPI figure. This week the government announced that the producer price index fell 0.2% for the first reduction in over 3 years. While the Carter administration smugly claimed credit for turning the corner on inflation, Governor Reagan accurately noted that a new element, namely, truck and auto rebates, had been suddenly added to the PPI in order to adjust (or jimmie) the statistical result.

Now comes Charles Schultz, Chairman of Carter's Council of Economic Advisors, blasting Ronald Reagan for noting that the government is changing the rules in the statistical reporting game in order to artificially project a more favorable economic forecast. The fact is that without this political tampering with temporary rebates on the price of trucks and autos, the PPI rose 0.4% in the last reporting period. And Charlie Schultz knows it! Indeed, in an October 3, 1980, White House memo entitled, "Guidance on Unemployment Rate and Producer Price Index in September," the following statement appears:

"The PPI for finished goods fell by 0.2% in September. There is a possible fluke in this in a change in how car rebates are factored in. The PPI excluding auto and truck rebates rose 0.4%."

The facts are clear...if not the rules of government statistical reporting. Inflation as measured by the Producer Price Index continues to gallop wildly and unreined. The only change has been the Carter administration's transparent effort to play politics with this key inflation indicator. To criticize Governor Reagan for finding the truth in this reporting fraud and then denying that obvious truth, Mr. Schultz reveals himself to be either ignorant, deceitful or simply stupid. Not capable of making substantive improvement in the real world of economics, the Carter administration has turned in desperation to adulterating the price reporting process and perpetuating a little white lie, with very large repercussions, on the public.

Dan Jones for appropriate signature

[Handwritten signature]

2008

HOUSE
LITTLE WHITE/LIES

Considerable controversy swirls around the Producer Price Index this week. Because the PPI measures the rate of increase in the nation's wholesale prices rather than retail, it is an important indication of the inflation trend. Needless to say, the several elements comprising the formula mix are determinative of the final PPI figure. This week the government announced that the producer price index fell 0.2% for the first reduction in over 3 years. While the Carter administration smugly claimed credit for turning the corner on inflation, Governor Reagan accurately noted that a new element, namely, truck and auto rebates, had been suddenly added to the PPI in order to adjust (or jimmy) the statistical result.

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"The PPI for finished goods fell by 0.2% in September. There is a possible fluke in this in a change in how car rebates are factored in. The PPI excluding auto and truck rebates rose 0.4%."

The facts are clear...if not the rules of government statistical reporting. Inflation as measured by the Producer Price Index continues to gallop wildly and unreined. The only change has been the Carter administration's transparent effort to play politics with this key inflation indicator. It is intellectually dishonest to deny obvious election year tampering and then to criticize Governor Reagan for seeing the truth behind this reporting fraud. Not capable of making substantive improvement in the real world of economics, the Carter administration has turned in desperation to adulterating the price reporting process and perpetuating a little white lie, with very large repercussions, on the public.

H. Daniel Jones III
for signature of
William E. Simon

2009

BRIEFING PAPER FOR GOVERNOR REAGAN

TO : Ed Meese, Bob Gray, Max Hugel
FROM : H. Daniel Jones III
DATE : September 11, 1980
RE : GOLD

- * Gold has been the only consistent store of value for 6,000 years.
- * One ounce of gold bought approximately the same amount of oil in 1967 as it does today. (22 barrels)
- * In London in the year 1600, one ounce of gold bought a complete gentleman's outfit including suit, boots, coat and hat - it still does!
- * A gold-backed currency provides discipline - since a government printing press can not manufacture more fiat paper money than is represented by its Treasury's store of gold.
- * Because of our government's irresponsible expansion of its currency supported by nothing other than the government's intention that it be a source of purchasing power and the public's naive faith in its constancy, government bonds have become certificates of guaranteed confiscation. In 1940, a \$1,000 government bond bought approximately 202 pairs of Florsheim shoes - today only about 12.
- * At today's conservatively estimated rate of 10% price inflation, \$1,000 will be worth less than \$380 in a mere ten years. If that rate doubles, which seems possible over the next couple of years, the value of today's dollar - already a pale shadow of the dollar of 20 years ago - would be virtually wiped out.
- * So long as inflation continues to outstrip earnings either in the stock market or in the pursuit of a career, so long as over-taxation and over-regulation of the private sector continue to make business opportunities unappealing, people in growing numbers will feel less and less compunction about abandoning productive activities in the traditional sense and joining the ranks of those who "speculate" in what appear to be tangible values that hold some promise of real gain above and beyond the rate of dollar depreciation. Nor should should they feel guilty about it.
- * Lately the cry has arisen - and it is sure to grow louder - that international "speculators" are responsible for the continued slide of the dollar. Washington policy-makers used "baskets" of currencies - "trade-weighted averages" - to demonstrate that the dollar was still strong. Meanwhile, the Swiss franc has nearly tripled in dollar terms because Switzerland's rate of inflation is one-third that of the United States. And that is directly related to the fact that the Swiss franc enjoys approximately three times the gold-backing (47%) as does the U.S. dollar. (14%)

2010

- * The psychology of the human being has always considered gold a most precious commodity. Gold is found on all continents on earth. It is usually difficult to recover. Its unique properties include its brilliant yellow color, its virtual imperishability (never rusts or tarnishes), its chemical stability, its low resistance to electric current, its durability in tiny, thin shapes, its virtually unlimited malleability, its compactness, its portability, and its marketability. Man's need for a constant store of value that is independent of government is real, and gold has all the properties. The demand for gold is real, and it is as durable as the metal itself. A gold-backed currency is the only substitute for gold itself.
- * All the gold that has ever been discovered throughout all of history if brought together in a single hoard from all coins, jewelry, vaults, etc. would comprise a cube only 18 yards on a side.
- * When the government spends more than it takes in - that is, when it isn't willing to tax the people to the full extent of its fiscal appetite - it goes into debt. These budgetary deficits have been clothed in all kinds of language - "full employment budgets," "fiscal stimulus", "pump-priming" - but it amounts to only one end-product: debt.
- * The national debt has risen from \$16 billion in 1929, on the eve of the Great Crash to nearly \$750 billion today. And that is just the reported, publicly held national debt, for which there are securities outstanding. Including unfunded liabilities and other federal commitments, total federal liabilities and debts are \$9 trillion according to the National Taxpayers Union, which compiled this awesome statistic using the U.S. Treasury's own official figures. That's a share of \$112,912 for each taxpayer!
- * The interest on our national debt is now the fourth largest line item in the federal budget. Those interest payments on our national debt now exceed \$55 billion per year which is an increase of \$13 billion since 1977.
- * To put these debt figures in some perspective, consider that it took 186 years, until 1962, for the entire federal budget to reach \$100 billion. From that point, it took just nine years for the government in Washington to reach a spending level of \$200 billion. Then it took a mere four years - to 1976 - to reach the \$300 billion mark. Since then, the pace has accelerated still further, and in 1977, the budget exceeded \$400 billion - quadruple the level of 15 years earlier. In 1979, federal spending exceeded \$500 billion and now Mr. Carter is requesting a 1981 budget of \$630 billion!!! This is the cause of the dollar's collapse.

2011

- * A gold-backed currency would halt inflation by severely restricting the power of the promise-spend-elect gang on Capitol Hill to create fiat money to fill the annual gap between federal expenditures and tax receipts.
- * "There is no subtler, no surer means of overturning the existing basis of society than to debauch the currency. The process engages all the hidden forces of economic law on the side of destruction, and does it in a manner which not one man in a million is able to diagnose."
-John Maynard Keynes
- * For most of the world's history, gold has been the principal money. Even when it coexisted with paper money, most people accepted the paper only as a convenient proxy for gold. Paper money was handier to use in day-to-day exchange, but the paper was valuable only so long as the holder knew it could be exchanged for gold, at a fixed rate, at any time.

Occasionally a government would dishonor its promises to repay gold for the paper it had issued. But the failure was always considered temporary. It was understood that sooner or later the government would return to the gold standard. And sooner or later the government did.

We are in one of those periods today. No government of the world offers anything as security for the paper money it issues; as before, the gold standard has been suspended.

I have little doubt that the gold standard will return someday - and probably before the end of this century. There's nothing ideological in my expectation; it's simply that the world hasn't yet invented a money system as in keeping with the nature of human action as gold is.



H. Daniel Jones III
202-789-1630

2012

PROPOSED LETTER TO MAJOR DAILIES AND JEWISH PRESS:

The remark of the Rev. Bailey Smith at the Annual Conference of the Religious Roundtable in Dallas regarding prayer and those to whom God listens concerns me deeply. I fully appreciate the ministry of Dr. Smith and recognize his faith in Jesus Christ. Indeed, Jesus did say that he was the Way, the Truth and the Life and that there was no other way to the Father except through him, but I would offer the following comment.

An omniscient and omnipotent God is not limited by a person's ethnic background when listening to prayer. The Old Testament prophet said, "His arm is not shortened that He cannot save nor HIS EAR HEAVY THAT HE CANNOT HEAR." Encouraging the Hebrew nation, Jeremiah said, "Call unto me and I will answer thee and show thee great and mighty things which thou knowest not."

Clearly, it is not the accident of one's race but the condition of one's heart that is the determining factor in God's hearing and answering prayer. The issue is not the ability or the willingness of God to hear prayer, but the sincerity and contriteness of one's heart.

It is my concern that Governor Reagan's beliefs not be equated with Mr. Smith's statement. Governor Reagan did attend the Religious Roundtable Conference, but to ascribe Mr. Smith's beliefs to Governor Reagan is unbecoming to journalistic integrity. Certainly, I reserve the right to disagree with Rev. Smith and I respect his right to disagree with me but Ronald Reagan's private faith and personal beliefs are not questioned and clearly should not be at issue.

Richard C. Halverson
Pastor Fourth Presbyterian Church
5500 River Road
Bethesda, Maryland

Contact: 301-320-3136

(Dan Jones for appropriate signature)

2013

PEACE THROUGH PREPAREDNESS

What should be obvious through the smoke of recent campaign cannonades is that Ronald Reagan is the peace candidate in this presidential election. Very simply, Governor Reagan is preaching the time-honored principle of peace through preparedness. No concept of foreign policy (and common sense) is more universally recognized. Strength deters aggression. Weakness invites aggression. By adopting a misguided tone of passivity, Jimmy Carter's foreign policy has relegated the mighty military arsenal of the United States to the status of a 98 pound weakling...and we have had sand kicked in our face from the Middle East to Central America. Jimmy Carter has allowed our military machine to so deteriorate that attempts to mediate hostilities suffer for lack of U.S. prestige and his threats ring hollow. From Moscow to Hanoi to Tehran to Baghdad to Havana the world is laughing at us.

President Ford had begun the restoration of our margin of safety in 1975 with a five-year program for increasing our defensive capability. In these last three years, President Carter has cut that program by \$38 billion. In the early months of his Administration, Jimmy Carter cancelled the B-1 program; stopped production of the Minuteman III; delayed, in a fit of indecision, the planned MX program by four years; cut the Trident building program, limited deployment of the Trident I Missile, and now has apparently postponed or decided against the Trident II Missile. Having lobbied steadily against Congressional efforts to increase defense spending, he now contradicts the Chairman of the Joint Chiefs of Staff and the Commander of the Strategic Air Command by smugly asserting that the U.S. remains militarily superior...and, incredibly, he claims credit for improving American defenses. The blatant hypocrisy of the man is simply astounding!

Ronald Reagan has the vision and mature judgment to know that a superior national defense is the surest path to peace. Clearly, Jimmy Carter is responsible for the disgraceful state of our military unpreparedness. He has naively presided over a shameful and dangerous reduction in our national security. The direct relationship between a decreasing U.S. military capability and an increasing level of international conflict should be obvious. Mr. Carter would have us believe that Governor Reagan's call for arms is synonymous with a call to arms. I submit that the distinction could not be more important. Like the muscular mediator on the beach, the surest way to have peace and to avoid confrontation is for the United States to rebuild its military strength and to restore that margin of safety. Jimmy Carter embarrasses himself and insults my intelligence by suggesting that the Republican clarion call for a stronger national defense is anything but in our national interest.

Op Ed Piece

Dan Jones for Bob Gray & Dick Allen.

2014

PLEASE MR. PRESIDENT, TRY TO BE BIGGER

Each week of the 1980 Presidential campaign brings startling new evidence of a certain smallness and a definite mean streak in the character of the President of the United States. One week, Mr. Carter breaches national security by revealing top secret plans for the Stealth bomber in order to counter arguments that he has allowed our military arsenal to deteriorate. The next week, Mr. Carter attempts to endear himself to Black Americans by suggesting that his political opponent and the platform on which he is running is racist in nature. The following week, Mr. Carter incredibly and unabashedly proclaims the November election to be a decision between peace or war - insinuating that his political opponent actually relishes military conflict. Astounding! And this from a man who attained the highest office in the land, in the aftermath of Watergate, on the basis of character. Shame on you, Mr. President.

Someone close to Governor Reagan who knows his mature judgment, his seasoned experience, his intellectual honesty, his strength of character, and his genuine kindness instinctively feels repulsion and chooses not to dignify such egregious behavior with comment. But it does make one angry. Mr. Carter's frantic grasping for political insults in such a transparent effort to win friends would be comical if it were not so sad... and small. The President of the United States embarrasses himself by taking the low road in presidential politics - a muddy low road. Indeed, as an American first and a Republican second, Mr. Carter embarrasses me. He is, after all, still the President of my country, at least, until January 20th, and the nominal defender of freedom in the world. I am proud of the American people and our constitutional form of government but no American can take pride in (and no political opponent can take vicarious pleasure in) an American Head of State and Commander-in-Chief who demeans his office by displaying meanness for the sake of patent political expediency.

When will Mr. Carter address the real issues of this campaign? When will he attempt to defend his record of high inflation, high taxes and high unemployment? When will he apologize for so many broken promises? When will he apologize for a self-righteous arrogance that embarrasses me? He does not have to apologize to Governor Reagan - he's bigger than that.

Dan Jones for George Bush *Charles Hinton*

2015

TO: Ed Meese/Notziger/Brady
from: Bob Garrick *for your action*

D-34

To: Bob Garrick
From: Bill Gavin
Re: Appearance of VP Walter Mondale at Italian-American

September 11, 1980

(I am told by reliable sources that Fritz Mondale will be present at the dinner, probably even as the Governor speaks.

Suggested one-liner :

"I am pleased to see Vice President Mondale is with us here. I know he is concerned about the future as we all are. I want to assure him that the future is bright and that he should not worry because after next January things will brighten considerably."

or

"We are honored by the presence of the Vice President. While I am not vain enough to think he came this early only to hear me, I want you to know his presence is inspiring to me and I hope what I have to say is inspiring to him."

McLaughry's version:

I am honored by the presence of Vice President Mondale here tonight. I know how much he wants to continue in that important post. But I must say to him, much as it hurts me - I already have a running mate, but I really do appreciate your interest.

158

2016

To: Brady/Notziger/Heese
From: Bob Garrick

September 15, 1980

To: Bob Garrick

From: Bill Gavin

Re: One Final One-Liner for the Italian American Dinner

The presence of Vice President Mondale reminds us that history will record 1980 as year when two men sought the highest office in the land. These men differed in fundamental principles, in philosophy and in a vision of the future.

I refer of course to President Carter...and Senator Kennedy

2017

ELDON RUDD
414 EAST 1ST, ANCHORAGE
WASHINGTON OFFICE
1118 LONGMONT BUILDING
WASHINGTON, D.C. 20515
(202) 225-3381
DISTRICT OFFICE
4308 E. CHANDLER ROAD
SALT LAKE CITY, UTAH 84121
(801) 541-1801

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON INFORMATION
COMMITTEE ON BUDGET
THAT FORCE
DEFENSE AND INTERNATIONAL
AFFAIRS
INFLATION
COMMITTEE ON COMMITTEES

April 2
1980

Ed Rudd
D-27

POSTAGE PAID

Gov. Ronald Reagan
1669 San Bonifre Drive
Pacific Palisades, California 90272

Dear Governor Reagan,

How very nice it was to talk to you this evening!

Since I was once in the Marine Corps, I naturally have a great respect for my fellow Marines and keep in close touch with a great many of my comrades.

I provide this to you on receipt from a good friend of mine, and yours, who is a much decorated Vietnam veteran and American hero, our Maricopa County Recorder, Mr. Bill Henry.

The original Jimmy Carter staff source and all material herein are so well documented, indexed, and put together that it is totally self-explanatory.

I extend my very best regards to you, a great American and our next president. Let me wish you and Nancy a joyful Easter and every success.

Sincerely,

Eldon
Eldon Rudd
Member of Congress

ER/em
Enclosure

cc: Hon. Bill Henry

*Ed - here is the material on
J.C.'s campaign promises. Will you
have someone do an outline to Eldon
1st name it - sign letter - Ron.
Roy*

16-6

Andrew

To _____ Time 12:30

WHILE YOU WERE OUT
Chas. Walker

of 393-4760

Area Code	Number	Extension
PHONED	<input checked="" type="checkbox"/>	PLEASE CALL
ED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
TS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Operator *[Signature]*

ICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

Mitch

To _____ Time 11:55

WHILE YOU WERE OUT
Steve No. Carrick

of *Pat & Anne Carrick*

Phone 393-4760

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Operator *[Signature]*

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

Rich

To _____ Time 12:15

WHILE YOU WERE OUT
Chas. Walker

of 393-4760

Area Code	Number	Extension
PHONED	<input checked="" type="checkbox"/>	PLEASE CALL
ED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
TS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Operator *[Signature]*

ICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

S. Brady

To _____ Time 11:45

WHILE YOU WERE OUT
Chas. Walker

of 393-4760

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Operator *[Signature]*

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

MPA

To 8/20 Time 10:43

Date 8/20 Time 10:43

WHILE YOU WERE OUT

M. Mr. Selman

of _____

Phone 347-3243

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message He is in Mr. Allen
Office - will be
there most of the
morning

Operator Lustine

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Mitch

To _____

Date 8/20 Time 9:28

WHILE YOU WERE OUT

M. Steve McConick

of _____

Phone _____

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message _____

Operator Paul

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Mitch

To _____

Date 8/20 Time 9:30

WHILE YOU WERE OUT

M. Mr. Dorton

of Bank One

Phone 659-4650

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message _____

Operator Paul

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Mitch

To _____

Date 8/20 Time 9:25

WHILE YOU WERE OUT

M. Mr. Dad

of _____

Phone _____

Area Code	Number	Extension
TELEPHONED	<input type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message no problem
call when you can

Operator Paul

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 14121 Time: 11:25

Date: 9/25

WHILE YOU WERE OUT

M. Cheryl

of 14121

Phone: 525-5265

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: Cheryl Call her - she has questions re - Minnesota history

Operator: [Signature]

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 14121 Time: 11:25

Date: 9/25

WHILE YOU WERE OUT

M. John Freeman

of 14121

Phone: 14121-16700

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: _____

Operator: [Signature]

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 14121 Time: 10:05

Date: 9/25

WHILE YOU WERE OUT

M. Reddy

of 14121

Phone: 524-1005

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: Mr. 1114. 1114. 1114. No Sam wait here to take the letter - I am in - will be I touch

Operator: [Signature]

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 14121 Time: 9:58

Date: 9/25

WHILE YOU WERE OUT

M. Steve DeLamied

of 14121

Phone: 14121-2735

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: _____

Operator: [Signature]

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 8/27 Time: 12:05

WHILE YOU WERE OUT

M. Dick O'Brien

of Bu Chupre-1N4

Phone 212-464-0704

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input checked="" type="checkbox"/> WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU	<input checked="" type="checkbox"/> URGENT	<input checked="" type="checkbox"/>
<input type="checkbox"/> RETURNED YOUR CALL		

Message: Handwritten note

Operator: Handwritten initials

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 8/27 Time: 11:50

WHILE YOU WERE OUT

M. Richard Strider

of City of Atlanta

Phone: 404-254-1300

Area Code	Number	Extension
TELEPHONED	<input type="checkbox"/> PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>
<input type="checkbox"/> RETURNED YOUR CALL		

Message: Handwritten note

Operator: Handwritten initials

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 8/27 Time: 11:00

WHILE YOU WERE OUT

M. Steve McCormick

of 1028-2735

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>
<input type="checkbox"/> RETURNED YOUR CALL		

Message: Handwritten note

Operator: Handwritten initials

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 8/27 Time: 11:50

WHILE YOU WERE OUT

M. Lee Williams

of 803-254-3857

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>
<input type="checkbox"/> RETURNED YOUR CALL		

Message: Handwritten note

Operator: Handwritten initials

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To 8/27 Time 3:25

WHILE YOU WERE OUT
Bob Hamilton

Area Code X3720 Number Extension

TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>

☐ RETURNED YOUR CALL

Operator [Signature]

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To 8/27 Time 2:46

WHILE YOU WERE OUT
Steve McLeod

Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>

☐ RETURNED YOUR CALL

Operator [Signature]

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To 8/27 Time 2:50

WHILE YOU WERE OUT
Mike Sanford
San Jose

Area Code 224 Number Extension

TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>

☐ RETURNED YOUR CALL

Operator [Signature]

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To 8/27 Time 5:00

WHILE YOU WERE OUT
Joe Miller

Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	<input type="checkbox"/>

☐ RETURNED YOUR CALL

Operator [Signature]

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

2023

Smith

To _____ Date _____ Time 3:15

WHILE YOU WERE OUT
Steve McCormick

one _____

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Smith

To _____ Date _____ Time 3:40

WHILE YOU WERE OUT
M. Hare

of _____

Phone X 3753

Area Code	Number	Extension
TELEPHONED	X	PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Rich

To _____ Date 4/26 Time 3:05

WHILE YOU WERE OUT
Walt Miller

one X 3587

Area Code	Number	Extension
TELEPHONED	X	PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL

Message *Don can have the auto procedure in Buchanan, please to have advice*

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To _____ Date _____ Time _____

WHILE YOU WERE OUT
Helen

of *San Dominick*

Phone _____

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Rich
Date 9/2 Time 3:05
WHILE YOU WERE OUT
M. Bill
of 334-3542
Phone: Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	

☐ RETURNED YOUR CALL
Message 1st hr.
Operator 11/1/11

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To _____
Date _____ Time _____
WHILE YOU WERE OUT
M. Bill
of 334-3542
Phone: Area Code Number Extension

TELEPHONED		PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	

☒ RETURNED YOUR CALL
Message _____
Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Rich
Date 9/2 Time 3:00
WHILE YOU WERE OUT
M. Bill
of 334-3542
Phone: Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	

☐ RETURNED YOUR CALL
Message _____
Operator 11/1/11

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Rich
Date 9/2 Time _____
WHILE YOU WERE OUT
M. Bill
of 334-3542
Phone: Area Code Number Extension

TELEPHONED		PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	

☐ RETURNED YOUR CALL
Message _____
Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Deanne
Date 9/5 Time 3:15
WHILE YOU WERE OUT
M. Kay
of 1628 2235
Phone Area Code Number Extension
TELEPHONED ☐ PLEASE CALL ☐
CALLED TO SEE YOU ☐ WILL CALL AGAIN ☐
WANTS TO SEE YOU ☐ URGENT ☐
RETURNED YOUR CALL ☐
Message Deanne Birthday
in Monday
Operator 9/5
EFFICIENCY LINE NO. 6725 AM JAMPAD PRODUCT CARBONLESS

To Steve
Date 9/5 Time 3:15
WHILE YOU WERE OUT
M. Steve Malenick
of 1628 2235
Phone Area Code Number Extension
TELEPHONED ☒ PLEASE CALL ☒
CALLED TO SEE YOU ☒ WILL CALL AGAIN ☒
WANTS TO SEE YOU ☐ URGENT ☐
RETURNED YOUR CALL ☐
Message for 1 hour
Operator 9/5
EFFICIENCY LINE NO. 6725 AM JAMPAD PRODUCT CARBONLESS

To Bob Case
Date 9/5 Time 3:15
WHILE YOU WERE OUT
M. Loise
of 1628 2235
Phone Area Code Number Extension
TELEPHONED ☒ PLEASE CALL ☒
CALLED TO SEE YOU ☒ WILL CALL AGAIN ☒
WANTS TO SEE YOU ☐ URGENT ☐
RETURNED YOUR CALL ☐
Message Loise
Operator 9/5
EFFICIENCY LINE NO. 6725 AM JAMPAD PRODUCT CARBONLESS

To Steve
Date 9/5 Time 3:15
WHILE YOU WERE OUT
M. Steve
of 1628 2235
Phone Area Code Number Extension
TELEPHONED ☒ PLEASE CALL ☒
CALLED TO SEE YOU ☒ WILL CALL AGAIN ☒
WANTS TO SEE YOU ☐ URGENT ☐
RETURNED YOUR CALL ☐
Message Steve
Operator 9/5
EFFICIENCY LINE NO. 6725 AM JAMPAD PRODUCT CARBONLESS

To: 2200
 Date: 9/5 Time: 5:08
WHILE YOU WERE OUT
 M. Nicholas
 of Chumley
 Phone: 715-545-0300

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input checked="" type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL
 Message: My received the memo - OK.
 Operator: Part

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 2200
 Date: 9/5 Time: 5:08
WHILE YOU WERE OUT
 M. Steve MacCarroll
 of Chumley
 Phone: 715-545-0300

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input checked="" type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL
 Message: _____
 Operator: _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 2200
 Date: 9/5 Time: 5:05
WHILE YOU WERE OUT
 M. Mark Baldwin
 of Chumley
 Phone: 715-545-0300

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input checked="" type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☒ RETURNED YOUR CALL
 Message: _____
 Operator: Part

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: 2200
 Date: 9/5 Time: 4:55
WHILE YOU WERE OUT
 M. James Salomon
 of Chumley
 Phone: 715-545-0300

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input checked="" type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL
 Message: _____
 Operator: Part

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Nitchell
 Date 9/5 Time 8:05
WHILE YOU WERE OUT
 M. Rich Rosen
 of _____
 Phone 625-4511
 Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

 RETURNED YOUR CALL ☒
 Message Long a profile on
new for the paper
and some cartoon's
before their deadline
 Operator DMR

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Rich
 Date _____ Time _____
WHILE YOU WERE OUT
 M. ed wittenfeld
 of _____
 Phone 286-7440
 Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

 RETURNED YOUR CALL ☒
 Message has other
matters to discuss
besides returning
phone calls
 Operator _____

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Nitchell
 Date 9/8 Time 5:00
WHILE YOU WERE OUT
 M. Donna Corrado
 of _____
 Phone _____
 Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

 RETURNED YOUR CALL ☒
 Message want to see you
DMR
 Operator DMR

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Nitchell Stanley
 Date 9/8 Time 1:55
WHILE YOU WERE OUT
 M. Steve McKinnon
 of _____
 Phone _____
 Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

 RETURNED YOUR CALL ☒
 Message _____
 Operator DMR

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To: 1150 Hill
Date: 9/7 Time: 1:20
WHILE YOU WERE OUT
M: Have returned
of _____
Phone: _____
Area Code _____ Number _____ Extension _____
TELEPHONED _____ PLEASE CALL _____
CALLED TO SEE YOU _____ WILL CALL AGAIN ☒ 2
WANTS TO SEE YOU _____ URGENT _____
☐ **RETURNED YOUR CALL** ☐
Message _____

Operator LMK

**EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

To: Pittsford
Date: 9/9 Time: 1:30

WHILE YOU WERE OUT

M: Karen Taylor
of _____
Phone: 323-5663

Ams Date	Invoice	Extension
TELEPHONED	PLEASE CALL	(K)
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL		

Message _____

HBC
Operator

**EFFICIENCY • LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

To: Mitchell
Date: 9/19 Time: 1:05

WHILE YOU WERE OUT

M: Alton Spark

of _____

Phone: 593-7200 361

Area Code	Number	Extension
TELEPHONED	PLEASE CALL	(X)
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	

[] RETURNED YOUR CALL []

Message _____

LMS
Sponsor

**EFFICIENCY • LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

To Penny
Date 9/19 Time 1:40
WHILE YOU WERE OUT
In Rego
of _____
Phone _____
Area Code _____ Number _____ Extension _____
TELEPHONED ☒ PLEASE CALL
CALLED TO SEE YOU _____ WILL CALL AGAIN
WANTS TO SEE YOU _____ URGENT _____
RETURNED YOUR CALL ☐
Message wants to know if
you have anything for
Union. He'll call her to
back to office on 9/20
W
Operator RC

**EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

Mitchell
Date *9/12* Time *2:12*
WHILE YOU WERE OUT
Beck McComick

Area Code Number Extension
SPHONED ☒ PLEASE CALL
LED TO SEE YOU ☒ WILL CALL AGAIN
WTS TO SEE YOU ☒ URGENT
RETURNED YOUR CALL ☐

Page _____
_____ *J. Lee* _____
Operator

EFFICIENCY LINE NO. 5725 AN AMPAD PRODUCT
CARBONLESS

To *Penny Eastman*
Date *9/12* Time *2:15*
WHILE YOU WERE OUT
M. Ruppe
of _____
Phone *416 6966*
Area Code Number Extension
TELEPHONED ☒ PLEASE CALL
CALLED TO SEE YOU ☒ WILL CALL AGAIN
WANTS TO SEE YOU ☒ URGENT
RETURNED YOUR CALL ☒

Message _____

_____ *J. Lee* _____
Operator

EFFICIENCY LINE NO. 5725 AN AMPAD PRODUCT
CARBONLESS

ick Williamson
Date *9/12* Time *3:10*
WHILE YOU WERE OUT
Beck Swapp
of *324-5941*
Area Code Number Extension
SPHONED ☒ PLEASE CALL
LED TO SEE YOU ☒ WILL CALL AGAIN
WTS TO SEE YOU ☒ URGENT
RETURNED YOUR CALL ☐

Page _____
_____ *J. Lee* _____
Operator

EFFICIENCY LINE NO. 5725 AN AMPAD PRODUCT
CARBONLESS

To *ick Williamson*
Date *9/12* Time *3:12*
WHILE YOU WERE OUT
M. Talbot Smith
of *US Chamber of Commerce*
Phone *659-6173*
Area Code Number Extension
TELEPHONED ☒ PLEASE CALL
CALLED TO SEE YOU ☒ WILL CALL AGAIN
WANTS TO SEE YOU ☒ URGENT
RETURNED YOUR CALL ☒

Message _____

_____ *J. Lee* _____
Operator

EFFICIENCY LINE NO. 5725 AN AMPAD PRODUCT
CARBONLESS

To: M. Hill
Date: 2-16 Time: 3:25
WHILE YOU WERE OUT
M: Boyle Warden
of _____
Phone: 965-0300
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

☐ RETURNED YOUR CALL ☐

Message _____

M. Hill
Special Agent

**EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

To: Masi
Date: 3-16 Time: 3:15
WHILE YOU WERE OUT
M: James Masek
of _____
Phone: _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	

☐ RETURNED YOUR CALL ☐

Message _____

Masek
Signature

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: Dr. Michael
Date: 9-16 Time: 3:30
WHILE YOU WERE OUT
M: Steve McCarroll
of _____
Phone: 628-2135
Area Code Number Extension
TELEPHONED _____ PLEASE CALL _____
CALLED TO SEE YOU _____ WILL CALL AGAIN _____
WANTS TO SEE YOU _____ URGENT _____
[RETURNED YOUR CALL] _____
Message _____

_____ ! _____

**EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

To: Dr. J. R. C. C.
Date: 9-10 Time: 3:20
WHILE YOU WERE OUT
M: Alan Spink
of _____
Phone: 393-2700 361
Area Code _____ Number _____ Extension _____
TELEPHONED _____ PLEASE CALL _____
CALLED TO SEE YOU _____ WILL CALL AGAIN _____
WANTS TO SEE YOU _____ URGENT _____
[] RETURNED YOUR CALL []
Message _____

_____ MD

(Signature)

**EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS**

put in

To _____
Date 10/7 Time 3:55

WHILE YOU WERE OUT
M. Steve McInerick
of _____
Phone 628-2285

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator *[Signature]*

EFFICIENCY LINE NO. 6775 AN AMPAD PRODUCT
CARBONLESS

K.C.

To _____
Date 10/7 Time 3:35

WHILE YOU WERE OUT
M. Jim Butterfield
of _____
Phone 633-1713

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator *[Signature]*

EFFICIENCY LINE NO. 6775 AN AMPAD PRODUCT
CARBONLESS

M.S.

To _____
Date 10/7 Time 3:30

WHILE YOU WERE OUT
M. Dave Nagy
of _____
Phone 628-9212

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator *[Signature]*

EFFICIENCY LINE NO. 6775 AN AMPAD PRODUCT
CARBONLESS

mitch

To _____
Date 10/7 Time 3:11

WHILE YOU WERE OUT
M. Carol Fields
of _____
Phone 347-3348

Area Code	Number	Extension
TELEPHONED	<input type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

RETURNED YOUR CALL ☐

Message # United Air
327 AM 10/3/81
Hold on getting
any info. out on this

Operator *[Signature]*

EFFICIENCY LINE NO. 6775 AN AMPAD PRODUCT
CARBONLESS

R.H.

To _____
Date _____ Time *3:22*

WHILE YOU WERE OUT

M. *John Sullivan*
of _____

Phone *404-261-5934*
Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

R.H.

To _____
Date _____ Time _____

WHILE YOU WERE OUT

M. *John*
of _____

Phone _____
Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Mari

To _____
Date _____ Time _____

WHILE YOU WERE OUT

M. *Steve Hartup*
of _____

Phone *335-1100*
Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message *Change 5 to 7*

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Trital

To _____
Date *11/18* Time *3:15*

WHILE YOU WERE OUT

M. *Steve Mc*
of _____

Phone *1228-2735*
Area Code Number Extension

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To M. H. H. H.
 Date 10/2 Time 1:30
WHILE YOU WERE OUT
 M. Miss M. H. H. H.
 of _____
 Phone 628-2735
 Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
WANTED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message _____

Operator J. H. H.

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To M. H. H. H.
 Date 10/2 Time 1:30
WHILE YOU WERE OUT
 M. Miss M. H. H. H.
 of _____
 Phone X 3711
 Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
WANTED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message ASNP

Operator J. H. H.

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Rich
 Date 10/2 Time 1:15
WHILE YOU WERE OUT
 M. John Childers
 of San Diego
 Phone 224-7937
 Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
WANTED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☒

Message _____

Operator J. H. H.

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To M. H. H. H.
 Date 10/2 Time 12:55
WHILE YOU WERE OUT
 M. Barbara Joek
 of _____
 Phone 614-861-0143
 Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
WANTED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐

Message Let's see how we can do it with the staff in the year

Operator _____

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To George Rich
Date 10-3 Time 2:10
WHILE YOU WERE OUT
M. George Rich
of _____
Phone 3620
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

☒
RETURNED YOUR CALL
Message _____

MD
Special

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To B. Williams
Date 10-3 Time 2:00
WHILE YOU WERE OUT
M. B. Williams
of San Francisco
Phone 724-1060
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

☒
RETURNED YOUR CALL
Message _____

MD
Special

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To M. McHenry
Date 10-3 Time 2:15
WHILE YOU WERE OUT
M. M. McHenry
of _____
Phone _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

☒
RETURNED YOUR CALL
Message _____

MD
Special

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To Bob Carter
Date 10-3 Time 1:10
WHILE YOU WERE OUT
M. Bob Carter
of _____
Phone 362-4782
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

☒
RETURNED YOUR CALL
Message _____
ASAP

MD
Special

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Paul Valli

To: *10/3* Time: *3:43*

Date: *10/3* Time: *3:43*

WHILE YOU WERE OUT

M. *Paul Valli*

of _____

Phone: *617-738-1044*

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: *Call #4*

Operator: _____

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Mitchell

To: *10/3* Time: *3:38*

Date: *10/3* Time: *3:38*

WHILE YOU WERE OUT

M. *Gene W. C. Mitchell*

of _____

Phone: _____

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: _____

Operator: _____

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Bob Bullman

To: *10/3* Time: *3:43*

Date: *10/3* Time: *3:43*

WHILE YOU WERE OUT

M. *Bob Bullman*

of _____

Phone: *628-1005*

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: _____

Operator: _____

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

Henry

To: *10/3* Time: *3:43*

Date: *10/3* Time: *3:43*

WHILE YOU WERE OUT

M. *Henry*

of _____

Phone: *457-7716*

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT

☐ RETURNED YOUR CALL

Message: _____

Operator: _____

EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
CARBONLESS

To: Mr. T. J.
 Date: 10/6 Time: 4:25
WHILE YOU WERE OUT
 M. Joe A. Huber
 of Omni-Tel-White
 Phone: 401-1659-0000
 Area Code 401 Number 1659 Extension 0000

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU		URGENT	

 RETURNED YOUR CALL ☐
 Message: for 10/7
 Operator Just

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To: Mr. S.
 Date: 10/6 Time: 4:10
WHILE YOU WERE OUT
 M. John
 of Pine
 Phone: X 3487
 Area Code X Number 3487 Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU		URGENT	

 RETURNED YOUR CALL ☐
 Message: _____
 Operator

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To: Mr. S.
 Date: 10/6 Time: 4:25
WHILE YOU WERE OUT
 M. Spence & Co. Inc.
 of _____
 Phone: _____
 Area Code _____ Number _____ Extension _____

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU		URGENT	

 RETURNED YOUR CALL ☐
 Message: _____
 Operator Just

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To: Mr. S.
 Date: 10/6 Time: 4:10
WHILE YOU WERE OUT
 M. Rocky Tumbler
 of _____
 Phone: X 3530
 Area Code X Number 3530 Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU		WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU		URGENT	

 RETURNED YOUR CALL ☐
 Message: _____
 Operator

 EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Boston
 Date 11-5 Time 12:25
WHILE YOU WERE OUT
 M. Mr. Spurdagan
 of _____
 Phone 212-159-7023

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL
 Message _____

 Operator MP

 EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Durham
 Date 11-5 Time 1:10
WHILE YOU WERE OUT
 M. Mr. McChard
 of _____
 Phone _____

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL
 Message Will call you
to bring down some papers

 Operator MP

 EFFICIENCY LINE NO. 6726 AN AMPAD PRODUCT
 CARBONLESS

To Boston
 Date _____ Time _____
WHILE YOU WERE OUT
 M. Mr. Simpson
 of _____
 Phone 232-3574

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL
 Message _____

 Operator _____

 EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Durham
 Date 11-5 Time 1:45
WHILE YOU WERE OUT
 M. Mr. Simpson
 of 4141 2nd Street
 Phone 724-1643

Area Code	Number	Extension
TELEPHONED		PLEASE CALL
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

☐ RETURNED YOUR CALL
 Message _____

 Operator MP

 EFFICIENCY LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

UTILITY Low Form No. 50-78 (NCR-405-C)

PHONE MEMO	TO	DATE	TIME
	FROM	AREA CODE - TELEPHONE NO. - OR OPER	
	OF	EXTENSION	
	MESSAGE		
SIGNED			
Phoned <input type="checkbox"/>	Call Back <input type="checkbox"/>	Returned Call <input type="checkbox"/>	Wants To See You <input type="checkbox"/>
		Will Call Again <input type="checkbox"/>	Was In <input type="checkbox"/>
		See Operator <input type="checkbox"/>	

UTILITY Low Form No. 50-78 (NCR-405-C)

PHONE MEMO	TO	DATE	TIME
	FROM	AREA CODE - TELEPHONE NO. - OR OPER	
	OF	EXTENSION	
	MESSAGE		
SIGNED			
Phoned <input type="checkbox"/>	Call Back <input checked="" type="checkbox"/>	Returned Call <input type="checkbox"/>	Wants To See You <input type="checkbox"/>
		Will Call Again <input type="checkbox"/>	Was In <input type="checkbox"/>
		See Operator <input type="checkbox"/>	

UTILITY Low Form No. 50-78 (NCR-405-C)

PHONE MEMO	TO	DATE	TIME
	FROM	AREA CODE - TELEPHONE NO. - OR OPER	
	OF	EXTENSION	
	MESSAGE		
SIGNED			
Phoned <input type="checkbox"/>	Call Back <input type="checkbox"/>	Returned Call <input checked="" type="checkbox"/>	Wants To See You <input type="checkbox"/>
		Will Call Again <input type="checkbox"/>	Was In <input type="checkbox"/>
		See Operator <input type="checkbox"/>	

UTILITY Low Form No. 50-78 (NCR-405-C)

PHONE MEMO	TO	DATE	TIME
	FROM	AREA CODE - TELEPHONE NO. - OR OPER	
	OF	EXTENSION	
	MESSAGE		
SIGNED			
Phoned <input type="checkbox"/>	Call Back <input checked="" type="checkbox"/>	Returned Call <input type="checkbox"/>	Wants To See You <input type="checkbox"/>
		Will Call Again <input type="checkbox"/>	Was In <input type="checkbox"/>
		See Operator <input type="checkbox"/>	

P H O N E M E M O	TO	DATE	TIME	AM PM	
	FROM	AREA CODE - TELEPHONE NO. - OR OPER			
	OF	EXTENSION			
	MESSAGE				
SIGNED					
Phone <input type="checkbox"/> Call Back <input type="checkbox"/> Returned Call <input type="checkbox"/> Wants To See You <input type="checkbox"/> Will Call Again <input type="checkbox"/> Will Be In <input type="checkbox"/> See Operator <input type="checkbox"/>					

P H O N E M E M O	TO	DATE	TIME	AM PM	
	FROM	AREA CODE - TELEPHONE NO. - OR OPER			
	OF	EXTENSION			
	MESSAGE				
SIGNED					
Phone <input type="checkbox"/> Call Back <input checked="" type="checkbox"/> Returned Call <input type="checkbox"/> Wants To See You <input type="checkbox"/> Will Call Again <input type="checkbox"/> Will Be In <input type="checkbox"/> See Operator <input type="checkbox"/>					

P H O N E M E M O	TO	DATE	TIME	AM PM	
	FROM	AREA CODE - TELEPHONE NO. - OR OPER			
	OF	EXTENSION			
	MESSAGE				
SIGNED					
Phone <input type="checkbox"/> Call Back <input type="checkbox"/> Returned Call <input type="checkbox"/> Wants To See You <input type="checkbox"/> Will Call Again <input type="checkbox"/> Will Be In <input type="checkbox"/> See Operator <input type="checkbox"/>					

P H O N E M E M O	TO	DATE	TIME	AM PM	
	FROM	AREA CODE - TELEPHONE NO. - OR OPER			
	OF	EXTENSION			
	MESSAGE				
SIGNED					
Phone <input checked="" type="checkbox"/> Call Back <input type="checkbox"/> Returned Call <input type="checkbox"/> Wants To See You <input type="checkbox"/> Will Call Again <input type="checkbox"/> Will Be In <input type="checkbox"/> See Operator <input type="checkbox"/>					

TO: *B. H. H. H.* DATE: *1/20/55*

FROM: *B. H. H. H.* AREA CODE - TELEPHONE NO. - OR OFFER: *314-52-4800*

OF: EXTENSION: *2*

MESSAGE:

SIGNED: *[Signature]*

Phone ☐ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Will In ☐ See Operator ☐

TO: *V. S.* DATE: *1/17/55* AM ☐ PM ☐

FROM: *Post-Talkies* AREA CODE - TELEPHONE NO. - OR OFFER: *[Blank]*

OF: EXTENSION: *[Blank]*

MESSAGE:

SIGNED: *[Signature]*

Phone ☒ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Will In ☐ See Operator ☐

TO: *N. H.* DATE: *1/17/55* AM ☐ PM ☐

FROM: *Lucy Hunt, 21st* AREA CODE - TELEPHONE NO. - OR OFFER: *21-545-1111*

OF: EXTENSION: *2675*

MESSAGE: *Extensive paper (141) - 1140*

SIGNED: *[Signature]*

Phone ☐ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Will In ☐ See Operator ☐

TO: *Witch* DATE: *[Blank]* TIME: *[Blank]* AM ☐ PM ☐

FROM: *Sheila McConnors* AREA CODE - TELEPHONE NO. - OR OFFER: *[Blank]*

OF: EXTENSION: *[Blank]*

MESSAGE: *Action in Nevada*

MESSAGE: *Schedule date for afternoon*

SIGNED: *[Signature]*

Phone ☒ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Will In ☐ See Operator ☐

TO *Beck* DATE *10/20* TIME *12:25* AM PM

FROM *Beck* AREA CODE - TELEPHONE NO. - OR OPER.

OF EXTENSION

MESSAGE

MEMO

SIGNED

Phone ☐ Call ☐ Returned ☐ Wants To ☐ Will Call ☐ Was ☐ See ☐
Back ☐ Call ☐ See You ☐ Again ☐ In ☐ Operator ☐

TO *Mr. S.* DATE *10/20* TIME *12:25* AM PM

FROM *Carl Mc Mann* AREA CODE - TELEPHONE NO. - OR OPER.

OF EXTENSION

MESSAGE

MEMO

SIGNED

Phone ☐ Call ☐ Returned ☐ Wants To ☐ Will Call ☐ Was ☐ See ☐
Back ☐ Call ☐ See You ☐ Again ☐ In ☐ Operator ☐

TO *Beck* DATE *10/20* TIME *12:25* AM PM

FROM *Carl Mc Mann* AREA CODE - TELEPHONE NO. - OR OPER.

OF EXTENSION

MESSAGE

MEMO

SIGNED

Phone ☐ Call ☐ Returned ☐ Wants To ☐ Will Call ☐ Was ☐ See ☐
Back ☐ Call ☐ See You ☐ Again ☐ In ☐ Operator ☐

TO *Beck* DATE *10/20* TIME *12:25* AM PM

FROM *Carl Mc Mann* AREA CODE - TELEPHONE NO. - OR OPER.

OF EXTENSION

MESSAGE

MEMO

SIGNED

ACCOUNTILITY AND PHONE NO. 30-178 MCH-450-G

TO: *TR J.* DATE: *10/20* TIME: *10:50* AM
 FROM: *Gene McCarroll* AREA CODE - TELEPHONE NO. - OR OPER.: *951-7849*
 OF: EXTENSION: *1*

MESSAGE

SIGNED: *Gene McCarroll*

Planned ☐ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Was In ☐ See Operator ☐

ACCOUNTILITY AND PHONE NO. 30-178 MCH-450-G

TO: *Rich / Gene* DATE: *10/20* TIME: *10:40* AM
 FROM: *Gene McCarroll* AREA CODE - TELEPHONE NO. - OR OPER.: *951-7849*
 OF: EXTENSION: *1*

MESSAGE

SIGNED: *Gene McCarroll*

Planned ☐ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Was In ☐ See Operator ☐

ACCOUNTILITY AND PHONE NO. 30-178 MCH-450-G

TO: *Rich* DATE: *10/20* TIME: *10:15* AM
 FROM: *Alan Sprick* AREA CODE - TELEPHONE NO. - OR OPER.: *3936-7700*
 OF: *ABC* EXTENSION: *1361*

MESSAGE: *can I make a quick lunch today - if I can't come over here if not today - later this wk.*

SIGNED: *Alan Sprick*

Planned ☒ Call Back ☒ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Was In ☐ See Operator ☐

ACCOUNTILITY AND PHONE NO. 30-178 MCH-450-G

TO: *Rich* DATE: *10/20* TIME: *9:50* AM
 FROM: *Joel Mordiman* AREA CODE - TELEPHONE NO. - OR OPER.: *224-1322*
 OF: *Sen. Simpson* EXTENSION: *1*

MESSAGE: *Re: Debate*

SIGNED: *Joel Mordiman*

Planned ☒ Call Back ☐ Returned Call ☐ Wants To See You ☐ Will Call Again ☐ Was In ☐ See Operator ☐

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

EFFICIENCY. LINE NO. 4725 AN AMPAD PRODUCT

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT - 6

To _____ Time _____

Date _____

WHILE YOU WERE OUT

M. _____

of _____

Phone _____

Area Code	Number	Extension
TELEPHONED	PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

To _____ Time _____

Date 10/27

WHILE YOU WERE OUT

M. Robert Davis

of _____

Phone 415-545-6964

Area Code	Number	Extension
TELEPHONED	PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

To _____ Time _____

Date 10/27

WHILE YOU WERE OUT

M. Tom Boyd

of _____

Phone 245-2935

Area Code	Number	Extension
TELEPHONED	PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

To _____ Time _____

Date 10/27

WHILE YOU WERE OUT

M. Steve McQuinn

of _____

Phone 1028-2735

Area Code	Number	Extension
TELEPHONED	PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY, LINE NO. 4725 AN AMPAD PRODUCT

To _____
Date _____ Time _____
WHILE YOU WERE OUT
M. _____
of _____
Phone _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐
Message _____

EFFICIENCY LINE NO. 4725 AN AMPAD PRODUCT

To _____
Date _____ Time _____
WHILE YOU WERE OUT
M. _____
of _____
Phone _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐
Message _____

EFFICIENCY LINE NO. 4725 AN AMPAD PRODUCT

To _____
Date _____ Time _____
WHILE YOU WERE OUT
M. _____
of _____
Phone _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐
Message _____

EFFICIENCY LINE NO. 4725 AN AMPAD PRODUCT

To _____
Date _____ Time _____
WHILE YOU WERE OUT
M. _____
of _____
Phone _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT

RETURNED YOUR CALL ☐
Message _____

EFFICIENCY LINE NO. 4725 AN AMPAD PRODUCT

To 9/29 Time 4:53

WHILE YOU WERE OUT
Ed Wundt

Phone 789-11040

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To _____

Date 9/29 Time 4:55

WHILE YOU WERE OUT
Steve Wozniak

Phone _____

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator _____

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Mike L

Date 9/29 Time 4:50

WHILE YOU WERE OUT
Steve McLarnell

Phone 658-2735

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator 210

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

To Mike

Date 9/29 Time 4:40

WHILE YOU WERE OUT
Charlie Long

Phone Mike Long

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL <input type="checkbox"/>		

Message _____

Operator 210

EFFICIENCY® LINE NO. 6725 AN AMPAD PRODUCT
 CARBONLESS

2047

THE WHITE HOUSE
WASHINGTON

June 22, 1983

TO: FRED FIELDING
FROM: MDT
RE: DEBATE BOOK

Last week you and JAB asked me to write down what I remember about all of this. I have not been able to find the time to sit down and write this until now.

All I remember is that JAB told me about receiving some Carter campaign material from Casey at the campaign headquarters. When he told me about this he made it clear that the material was no big deal and that he had passed it on to the debate people. I am positive of the lack of importance of this because it was never mentioned again until Larry Barrett's book was published and not by JAB or anyone in here - my memory was only jared when I read about this in the press. I also have a clear memory that JAB told me about this on a weekend because I can remember being in his campaign office and he was dressed in his jeans and casual cloths. I just remember it being a very casual weekend type day when JAB told me this.

It also is my memory that JAB told me this sometime in the middle of the campaign not in the last two weeks on the campaign when the crunch was on. I am positive I was told about this sometime in September.

That's really all I can remember about this matter.

Dick:

Can you check Saturday to see if the attached is what is in RR's briefing book? Also, are the issue summary papers I prepared this morning in his book?

Can you also tell these guys that we do not mind their re-packaging our material at all. They have undoubtedly improved the way it is presented. But they really should not put in new material, either as additions or substitutions. They run the risk of changing the emphasis or the points we think should be made, and even may put in wrong information.

I draw your attention, as examples, to the following:

- p. 2: USSR has advantage in theater nuclear forces today, by any index. Saying that most of our TNW are obsolete goes too far
- p. 3: They first omitted information we gave them, then misinterpreted something I wrote, then added new information (all of last • on spending). The last is not as good or as correct as we provided.
- p. 6: They have used the platform as a Reagan defense agenda
- p. 7: They have added advice on SALT that we have not decided (and with which I do not agree), and the RR SALT position is not well stated.
- pp 11 & 15: Contain some misinformation
- pp 16-18: All new additions - from where? P. 16 is not what RR should say re Indian fuel transfer. He should flatly oppose (using rationale I gave you.)

Bill

F. DEFENSE

Summary Defense Paper

Margin of Safety/Superiority

Use of Nuclear Weapons

Conventional Forces and All
Volunteer Army

SALT II Treaty

Defense Budget

Strategic Balance

Theater Nuclear Forces

Intelligence

Politicization National Security

Nonproliferation

Vulnerabilities of Carter's
Defense Record

SUMMARY DEFENSE PAPER

- Our purpose is peace. The first priority of a President is to ensure that the safety of our people can never be threatened by a hostile power.
We are not a warlike people. Quite the opposite. We always seek to live in peace. But four times in my lifetime, America has gone to war, bleeding the lives of its young men into the sands of beachheads, the fields of Europe, the jungles and rice paddies of Asia. We know that war comes not when forces of freedom are strong, but when they are weak. That is when tyrants are tempted.
- Today, that peace is in jeopardy. The margin of safety enjoyed for more than 30 years has eroded, as Soviets have engaged in most massive military buildup in history. Examples of what's happened:
 - In Central Europe, Warsaw Pact outnumbered NATO 3-1 in tanks, 3-1 in artillery, 2-1 in aircraft.
 - We now have a 1 1/2 ocean Navy for a 3-ocean world.
 - Our military readiness is shocking: recent Pentagon report showed that of 10 U.S. army divisions, 6 are not combat-ready.
- Carter administration bears prime responsibility. Ford was seeking to reverse U.S. decline, but Carter -- fulfilling campaign pledges -- sought to gut Ford program.
 - Since taking office, has cut \$38 billion from projected Ford budget.
 - Has cancelled or delayed many key systems: B-1, TRIDENT, naval buildup, Minuteman III, etc.
 - Carter now talking tougher, but after last 4 years, can't afford any more "trust me" govt.
- A Reagan administration will seek to restore the margin of safety -- to put U.S. in a new peace posture that will ensure world stability.
 - Would make volunteer force more attractive, more respected.
 - Would restore fleet to 600 ships.
 - Would build a new, modernized bomber.
 - Would ensure that weapons system are best available.
 - In short, would put into place a plan that would convince our adversaries they dare not seek conflict with us.
- With that plan underway, can then turn to larger task: negotiating for arms control. Can achieve peace only when strong. As John F. Kennedy said in his inaugural address, "Let us never negotiate out of fear. But let us never fear to negotiate."

PEACE THRU STRENGTH -- THAT MUST BE OUR WATCHWORD

THEMES

- Carter defense record weak and contradictory; he has compromised US security
 - Soviets take advantage: in Afghanistan, their brigade remains in Cuba
 - Allies are confused and discouraged
- US military capabilities have deteriorated across the board over four year period
 - USSR ahead in perhaps 75% of all measures of strategic forces
 - USSR will have advantage in long range theater nuclear forces by early 80s, and most US tactical nuclear weapons obsolete ? ✓
 - US increasingly inferior in conventional forces, excepting naval forces where Soviets are rapidly catching up
 - US short of skilled manpower for all volunteer force and shortfalls in ammunition and spare parts mean lack of combat readiness in many areas
- Leading Democrats also highly critical Carter on defense and foreign policy
- Carter's playing politics with defense issues, a danger to national security -- Brown, Muskie, PD 59, "Stealth"
- RR would seek peace through strength; be consistent and steady; would not play politics; would bring in the best; move now to close the "window of vulnerability" with 1980 not 1990, solutions; and seek arms control measures consistent with national security.

MARGIN OF SAFETY/SUPERIORITY

- Key US objective to preserve peace, deter aggression, and if aggression should occur defend itself.
- When US enjoyed military superiority, could preserve peace and thwart aggression.
- Problem is Carter Administration began by slicing defense. Carter JCS Chairman reports Soviet Union now:
 - "at least equal" in strategic nuclear power, and *Int. adv. - Soviet superior early 80s. LINC's at about equal now* ✓
 - has "substantial advantages" in theater nuclear and conventional forces
- RR favors restoring margin of safety through determined steady defense effort. (Carter JCS Chairman notes Ford budget for FY 78 would have maintained margin). ✓ wrong
- Not inconsistency of Carter and reductions of Anderson. Carter Record has set us back.
 - In February 1977, Carter revised Ford FY 78 budget to reduce planned defense increased outlays by \$300 million and appropriations by \$2.7 billion (including slowing MX missile program and reduced procurement F-15s); 78 State of the Union didn't include defense as priority. ✓
 - In September 1979, Carter rejected Senate call for 5% real growth defense; in December 1979 he said Soviet invasion of Afghanistan "made a more dramatic change in my opinion of what the Soviets' ultimate goals are than anything they've done in the previous time I've been in office." ✓
 - In January 1980 Carter committed himself to 5.4% real increase in FY 81 defense budget (including making MX a priority, increasing F-15 procurement and developing a rapid deployment force (which Sec Def Brown had said in 1979 could be assembled from existing forces); but Business Week notes key bottlenecks in industrial capacity and \$80 billion in procurement unspent. *NO - Army* ✓
 - In March, Carter cited need for \$4.6 billion additional (increased fuel costs, inflation, Indian Ocean deployment), but asked for only \$2.9 billion (Charles Corddry, Baltimore Sun); this despite Carter's characterization of the Afghan invasion as the "most serious threat to the peace since the Second World War."

USE OF NUCLEAR WEAPONSQuestion:

"Under what circumstances might you envision using nuclear weapons?"

Answer:

- Nuclear weapons are necessary to deterrence of aggression. This is clearly so for deterrence of nuclear attacks on the United States and its allies.
- However, for over 30 years under both Democratic and Republican administrations, it has been US policy to base deterrence of certain large scale, non-nuclear threats on the possible use of nuclear weapons by the United States. Major US allies have long based their security planning on US nuclear assurances.

I support this basic policy; but I do expect to reexamine the particular strategies and forces underlying that policy.

- ?
- RR advocates improved defense to ^{reduce likelihood} make certain that nuclear weapons are never used. American strength will deter aggression and reduce the risk of war.

every
primary

CONVENTIONAL FORCES
AND ALL VOLUNTEER ARMY

CARTER RECORD

- Carter FY 81 budget belatedly calls for modernization and prepositioning in Europe of equipment, greater combat readiness, improved military living and working conditions, and improved capability to withstand nuclear, biological and chemical warfare..
- But over 3 1/2 years Carter has let our conventional forces deteriorate. Current situation a scandal.
 - Although active duty strength may be within 2% authorized goal, Armed Services lack qualified personnel.
 - Recent Pentagon report (just became public) reports that of 10 US divisions, 6 are not combat ready.
 - Navy short 20,000 petty officers; USS CANISTEO removed from operational status.
 - Air Force short 2400 pilots; only 27 of every 100 reenlisting.
 - Army short 46,000 NCOs
 - Reserves 700,000 short. "Nifty Nugget" JCS mobilization exercise showed that for standard mobilization, we could fill only 52% infantry; 73% artillery and 28% armor positions.
 - Ammunition and spare parts shortages critical (acknowledged by Sec. Def. Brown 7/29/80)
 - in many categories only enough ammunition for a few days combat.
 - current ammo production cannot make up deficiencies on short notice.
 - only 50% F-14s and F-15s "fully mission capable".
 - Navy has been cut in half; 1 1/2 ocean navy for 3 ocean world. Navy can't meet basic requirements, according to CNO; Ford 157 ship 5 year construction program has been slashed to 83.
 - Army will not be combat ready due to Carter spending cuts (Sec. Army & Army Chief of Staff)
 - Warsaw Pact outnumbered NATO on Central Front in Germany by 3-1 in tanks (Soviet tank armor a generation more advanced than any Western tank), 3-1 in artillery, (generally better than ours), 2-1 in aircraft.
 - US airborne divisions too heavy to move, too light to fight; to date rapid deployment force only 250 man staff in Florida.

- All volunteer force (AVF) in trouble

- Carter assault on military benefits and retirement including pay cap at half inflation rate; real purchasing power military personnel has moved back 7-20 percentage points in relation to general public.
- 250,000 service men qualify for public assistance.
- officers and skilled enlisted personnel leaving in droves.
- 45% new Army recruits in lowest acceptable mental category.

REAGAN AGENDA

this is platform - not RR agenda ✓

- Critical to increase readiness and capability conventional forces

- to provide alternatives to having to resort to nuclear weapons
- to permit military options where required by our national security in different parts of the world.
- Make AVF more attractive. Reverse trend of reduced military compensation and work to establish comparability between military and civilian pay. Also consider selective increases in allowances and special pay and bonuses to encourage retention. Programs to attract and retain high quality men and women for Armed Services (restore GI bill) and expanded training opportunities.
- Restore fleet to 600 ships at rate equal to or exceeding Ford.
- Restore tactical aircraft development and procurement to economic levels and speed achievement 26 modernized aircraft wings.
- Accelerate procurement XM-1 main battle tank.
- Accelerate establishment rapid deployment force.
- Bring stocks ammunition, spare parts, supplies up to level that will help us sustain our forces in conflict.

NOTE: Anderson also for increasing pay military personnel, but has criticized Carter proposed 5% defense increases. Anderson not against conventional improvements.

SALT II TREATYCARTER RECORD

- The treaty is unequal
 - permits Soviets to continue one-sided arms race.
 - USSR allowed heavy missile launchers, US is not
 - 375 Soviet bombers, capable of international flight, not included in the totals
 - allows Soviets superior levels of destructive power
 - does not limit missiles or warheads; Soviets can produce and stockpile unlimited amounts, while the MX will not be operational until after SALT II has expired. The treaty allows the Soviets to deploy 6000 ICBM warheads before it expires.
- The treaty is unverifiable
 - Two major sources of verification are jeopardized: satellite (secret manual stolen 1978) and listening posts (Iran, Turkey, both in upheaval). On site inspections are out.
 - Experts testified that there were a number of unverifiable aspects to the treaty
 - (cruise missile ranges; ICBM upgrading; mobile ICBM deployment; backfire bomber potential; conversions from medium to intercontinental range missiles)
- The treaty is on hold
 - Carter is complying with the proposed treaty but has asked Senate to postpone ratification in wake of Afghan crisis. Soviet compliance is ambiguous.
 - Carter did not have 2/3 in the Senate needed to ratify anyway. (Senate Armed Services Committee rejected it outright; Foreign Relations Committee attached 20 conditions)

RR POSITION

- Critical to achieve balanced arms control consistent with national security. RR will try to negotiate.
- The Soviets increased their strategic position after SALT I and US failed to maintain strategic balance. Left US in bad negotiating position. Result: US gave more than it got.
- In the meantime, we should observe general limits of Vladivostok Accord (2400 vehicles, 1320 MIRVed)
- Should strengthen strategic forces
 - to defend ourselves
 - to achieve nuclear stability
 - to negotiate from strength

DEFENSE BUDGETCARTER RECORD

- Carter has adopted a policy of unilateral restraint in military spending, without any countervailing Soviet restraint.
 - changed President Ford's policy of maintaining a position of military balance
 - Soviets now outspend us by 50% in overall military programs
 - Soviets outspend us by 75% in critical areas of research and development
 - Ford recognized need to maintaining balance by:
 - building B-1 bomber
 - accelerating MX missile program
 - accelerating Trident submarine and missile programs
 - increasing naval forces by 157 ships over 5 years
 - Carter merely requested Soviets restrain spending and then:
 - cancelled B-1
 - slowed MX missile program
 - slowed Trident program
 - cut shipbuilding in half
- Carter claims credit for increasing defense budget in real terms and was forced to reverse a one-third decline in defense spending during Nixon-Ford presidencies.
 - almost all reductions are due to reduction Vietnam requirements
 - actually averaged out to 6% increase over years 1970-77 *Actually, more* when Vietnam drawdown is eliminated
 - promised in 1976 to cut defense spending from what Ford administration recommended, now takes credit for increased spending.

• Military pay is not keeping up with inflation

- hourly rate is less than minimum wage to many in uniform
- can make more money as cashier at McDonald's restaurant
- Carter opposed increasing military benefits in Washington, but flew to USS Nimitz and promised increased benefits.

RR POSITION

- Would propose defense budget to provide a margin of safety against Soviet aggression.
 - assure US maintains "technical" superiority in weapons systems
 - secure realistic pay rate for military personnel
 - establish stability in issue of defense spending so our Allies would know US is dependable
 - defense spending is not inflationary
 - inflation is result of poor economic management
 - in 1950s defense budget was 9-11% of GNP and inflation only 3%
 - in 1960s defense was 7-8% of GNP, inflation was 4%

2059

STRATEGIC BALANCE

USSR MAKING MASSIVE EFFORT SINCE 60s

- Outspending us 3 to 1
- Developing 5 new ICBMs (intercontinental ballistic missiles), several new SLBMs (submarine launched ballistic missiles, including Typhoon), several heavy bombers, advanced ABM (anti ballistic missile) radars and missiles, advanced interceptor aircraft, and probably laser and particle beam weapons.
- Now ahead of us in perhaps 75% all measures strategic forces and is rapidly closing the gap in the remaining areas.
- Have capability for rest of 80s to destroy US ICBM force (Sec. Def. Brown)
- Can see how Carter has gutted much of Ford program by seeing the goals each set for 1985-1986:

	FORD	VS.	CARTER
	1985-86 Projections		
TRIDENT SUBS	10 operational		6-7
Deployed MX	90-100		0
B-1s	200		0
Air launched			
cruise missiles ?	1500		Fewer than Ford

- Carter JCS chairman says "far better off" had Carter not cancelled B-1; SAC Commander Ellis says US had 3-1 advantage in 76, but 3 years later "no US edge" now or before 86.
- SAC Commander also says do not now have capabilities to carry out recently announced PD 59 strategy.
- Carter missile programs suffer from repeated design changes (not thought through)
 - MX missile program has been subject to __ basing system design changes.

RR AGENDA

- Support TRIAD concept (aircraft, ships, missiles).
- Support development MX missile for 90s. *Earlier*
- In meantime for 80s --
 - immediate short range program to overcome immediate missile vulnerability
 - longer term program to preclude Soviet Union from ever again placing our country in danger or learning to live with strategic inferiority
 - Have directed advisors to prepare specific programs
- Will also want to review mid-term manned bomber options:
 - B-1 penetrating
 - B-1 variant standoff cruise missile carrier
 - FB 111 B/C penetrating
 - Re-engined B-52 cruise missile carrier

Note: STEALTH not a substitute for a new manned bomber system; manned bomber systems could be operational in 85' STEALTH not before 92, if then. STEALTH not totally invisible; can be detected at 50 miles; can't carry same payload as modified B-52.

ANDERSON POSITION

- Agrees with RR that "window of vulnerability" has opened. *Not sure*
- But considers MX unsound
 - enormously expensive (\$50-100 bill)
 - reason to believe Sovs can destroy far less than we can build it
 - consume vast energy and water resources, disrupt environment
 - invite Sovs to aim at thousands new targets in US
 - if SALT II not ratified, Sovs could overwhelm
- Anderson says can find alternative to MX, but mentions none. *Does: Sur*
- Would improve control, communications, warning, and basing systems ICBMs.
- Would move ahead with Trident.
- Continue to modernize B-52s with air launched cruise missiles.

*What he really says is
that we can accept ICBM
vulnerability*

THEATER NUCLEAR FORCESNEUTRON BOMB

- Carter Administration mishandles neutron warhead development.
 - Carter convinced West Germany Chancellor Schmidt to accept deployment and convince his party to agree.
 - then Carter announced non-deployment of neutron warhead.
 - left Schmidt and other allies open to bullying by Soviet Union and attacks by members of left-wing factions in each country.
 - RR favors development and deployment of neutron warhead for U.S. theater nuclear forces.
 - should be fitted to ballistic missiles, cruise missiles, artillery and bombs.
 - neutron warhead is most effective technological development to counter Soviet and Eastern Bloc forces, especially their large numbers of tank forces.
- would increase deterrence against Soviet aggression and reduce prospect of war in Europe.

MODERNIZING THEATER NUCLEAR FORCES

- Carter Administration has done little to correct the imbalance in theater nuclear forces.
 - Soviets will probably increase their lead in 1980's unless U.S. changes policy.
 - Chairman of JCS acknowledges that Soviets will hold a 2-1 or 4-1 advantage in long-range theater nuclear forces by early 80's.
 - with one exception, all theater nuclear weapons in Europe are obsolete.
 - exception: B-61 nuclear bomb
 - Soviets have in excess of:
 - 100 mobile IPBM launchers 2120 SS20
 - 70 Backfire bombers
 - 450 other IRBM launchers
 - U.S. and Allies oppose this with only 56 British Vulcan bombers and 76 U.S. FB-111's.
- After much pressure and criticisms, Carter Administration agree to build and deploy Pershing II ballistic missiles and Ground Launched Cruise Missiles (GLCM's).
 - present Carter program will not permit full deployment of GLCM until 1990.
 - Lance I production in Michigan is being terminated by Carter
 - plant will be converted to producing Volkswagens.

- RR applauds NATO countries for standing up to Soviets and would accelerate the deployment of modernized theater nuclear weapons for Europe.
 - meaningful reductions in Soviet theater nuclear arsenal will only occur when NATO is fully prepared to meet Soviet challenge.
 - would accelerate deployment of Pershing II.
 - would speed up ground launched cruise missile development in order to make large scale procurement possible by FY83.
 - Lance I production should be continued to obtain 50% increase in missiles and launchers by end of FY81.
 - 155-millimeter and 8-inch nuclear rounds should be converted to neutron warheads.

INTELLIGENCE

14

CARTER RECORD

- Analysis process discourages diversity in opinion on intelligence estimates.
 - has encouraged underestimate of Soviet military buildup.
- Covert action capacity has deteriorated (Mention only if asked).
 - potential for covert action must be maintained for availability on short notice.
 - would have been useful in Iran.
- Much of our clandestine collection is not clandestine at all.
 - lack of adequate cover.
- U.S. has no overall plan for counterintelligence or counterterrorism.
 - responsibilities have been split along jurisdictional, geographic, and disciplinary lines.
 - need central counterintelligence files.

RR POSITION

- Rebuild intelligence capabilities.
 - counterintelligence.
 - clandestine capability.
 - secure technical intelligence collection capability from attack.
 - encourage diverse opinion in analysis process by creating different teams of analysts so policymakers will have more than one opinion on critical analyses
- Ask for legislation that would concentrate Congressional oversight in House and Senate Intelligence Committees.
 - present system susceptible to leaks since 200 Congressional staff now have access to highly sensitive intelligence information.
- Secure legislation that would make it a crime to disclose identities of undercover intelligence personnel.
 - one group has claimed to have already revealed identity of 2,000 secret agents of CIA.
- Eliminate present strong political influence over analysis produced by intelligence agencies.

POLITICIZATION NATIONAL SECURITY

- Carter has been recklessly politicizing our national security and defense programs:
 - Stealth technology leak
 - Policy Directive 59 (PD 59) leak on targeting of nuclear warheads
- RR decries using information of such extraordinary delicacy for political gains.
 - successful national security programs depend on security to stay ahead of Soviet countermeasures. Stealth gave USSR 10-year break.
 - the timing of public release of these new directives on nuclear strategy renew doubts about competence of present administration.
 - U.S. should have bipartisan foreign policy and conduct our international business in statesmanlike fashion.

* * * * *

FACTS

- Stealth: Low-radar-visibility ^{tech program} aircraft NU ✓
 - DOD emphasized top secret nature of technology to House Intelligence Committee.
 - Pentagon's William Perry had already briefed Ben Schemm, editor of Armed Forces Journal before House committee briefing. (Aviation Week)
 - After House briefing, Sec. Brown on 8/22/80 announced existence of Stealth technology at news conference. (Aviation Week)
 - Raises questions on reasons for lifting top secret classifications.
 - response to RR criticisms of military weakness.
 - Leak damages effectiveness of Stealth by giving Soviets chance to develop countermeasures even before planes are in production or technology is complete.
 - Sec. Brown's comments that Stealth "alters the military balance significantly" isn't true -- no bombers exist.
 - As George Will points out, appropriate for Carter administration to announce an invisible aircraft to go along with its invisible army and invisible navy.
- PD 59: Supposedly changes U.S. nuclear strategy to targeting of Soviet military rather than economic targets.
 - Leaks are attempt to show (belatedly) Carter's toughness on defense issues.
 - Actually, only a modest change from previous strategy -- (evolving from earlier strategies). (Walter Mossberg, Wall Street Journal)

NONPROLIFERATION: FACTS

- US, USSR, UK, France, China acknowledged nuclear weapon states.
- 1954 Eisenhower "Atoms for Peace" initiative encouraged peaceful uses nuclear energy. Beginning growth period nuclear power.
- 1968 Nonproliferation Treaty provides commitment not to develop nuclear explosives and assurance of peaceful use of nuclear energy under international safeguards. Over 100 parties; but key states of concern not members (Argentina, Brazil, India, Israel, Pakistan, South Africa).
- 1974 Indian explosion nuclear device (using Canadian origin material) brought world attention to nuclear power fuel cycle as possible source bomb usable material. ~~Coincides with growing environmental opposition nuclear power.~~ *N. 10/78*
- 1976. As result Ford initiative, principal suppliers nuclear material and technology (US, USSR, Canada, Western Europe, Japan) agreed to restrain spread of facilities producing bomb usable material (reprocessing for plutonium, enrichment for high enriched uranium)
 - French terminated reprocessing deals with Pakistan and Korea; US deferred reprocessing (Barnwell, S.C.) in part to set nonproliferation example; asked other countries to re-examine fuel cycle from nonproliferation point of view; attempted to cut off German deals with Argentina and Brazil.
- 1978 Nonproliferation Act set conditions on US exports which would apply after 2 year grace period regardless of pre-existing US supply contracts
 - EURATOM country supply to be cut off if conditions not accepted, subject to Presidential annual waiver (first waiver exercised in March 80)
 - Indian and other non-NPT party supply to be cut off if no pledge to safeguards on all peaceful nuclear activities.
- General condemnation Carter policy and 78 Act; Europeans and Japan claim it interfered with their nuclear programs which included experimentation with breeders (requiring reprocessing); developing countries claim policy breaks international agreements predating law and contrary to NPT bargain.
- Potential bomb builders (Pakistan, India) proceed largely undeterred despite fuel cycle restrictions.

- While economics/energy security do not require immediately proceeding with civil reprocessing, other countries resent US interference, unsettling beleaguered nuclear programs under attack for environmental/safety reasons.
- Allies looking for settlement in 81: issue involves conditions for reprocessing involving US origin supply and cooperation re potential bomb builders.
- Indian case (recently in news) involves two fuel license applications submitted during grace period under our law.
 - Carter argued for approval to keep safeguards on US material in India, maintain Indian goodwill; additional nonproliferation threat small.
 - Congress likely to veto Carter stand (GOP platform agrees) because India not prepared to subject all its nuclear activities to safeguards.

2066

MEMORANDUM

TO: Bill Casey, Ed Meese, Bill Timmons, Tony Dolan,
Stef Halper

FROM: Bob M. Garrick *RMG* Director, Research & Policy

SUBJECT: Presidential Itinerary

Herewith is the schedule for President Carter on Monday, 6 October. Mid-morning he will arrive in Milwaukee, Wisconsin and visit the West Campus of Milwaukee Area Technology in a community by the name of West Alice. Mid-afternoon he goes to Chicago for a neighborhood meeting in Dupage County. Late afternoon he goes to a voter registration rally in Chicago and then to a Democrat National fundraiser, returning to Andrews approximately 10:00 p.m. (the exact times were not available).

x x x

RMG:jw

P.S. Through an unconfirmed source:

Carter and Kennedy will be in Fairfax, Va. on Tuesday, October 7 at the Woodburn Mental Health Clinic adjacent to the Fairfax Hospital to sign a bill (number not given).

See Mitch Stanley (Mitch Stanley)
ea

APPENDIX V
FBI LABORATORY REPORTS

(2067)

ANALYSIS OF FBI REPORTS

Dated July 15, 1983, September 9, 1983, September 13, 1983,
October 24, 1983, October 26, 1983, December 21, 1983.

Document Examination

This is a 38 page report from the FBI Laboratory to Special Agent in Charge of the Washington Field Office, dated September 9, 1983. The report is about examination of 29 items documents. The documents examined are:

<u># pages</u>	<u>WFO #'s</u>	<u>FBI</u> <u>LAB #'s</u>	<u>Our Terminology</u>
249	1	4-252	<u>Hodsoll's Foreign Policy</u> <u>Big Book</u>
9	2	253-261	<u>Hodsoll's Vice</u> <u>Presidential Papers</u>
22	3	262-283	"
1	4	284	"
10	5	285-294	"
5	6	295-299	"
9	7	300-308	"
22	8	309-330	"
4	9	331-334	"
6	10	335-340	"
15	11	341-355	"

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6	12	356-361	"
9	13	362-370	"
5	14	371-375	"
30	15	376-405	"
10	16	406-415	"
6	17	416-421	"
2	18	422-423	"
6	19	424-429	"
2	20	430-431	"
3	21	432-434	"
2	22	435-436	"
2	23	437-438	"
12	24	439-450	"
18	25	451-468	"
26	26	469-494	"
27	27	495-521	"
5	28	522-526	"
249	29	527-775	Gergen's Foreign Policy Big Book
		776	Inderfurth's Foreign Policy Big Book
		777	Aaron's Foreign Policy Big Book

DOCUMENT REVIEW

- 1) Even though Hodsoll's and Gergen's book have the same number of pages, there are four pages different between the two books.
 - Gergen's book does not have the two page cover memo dated September 29, 1980. Hodsoll's does have these pages. (Qc 4 and Qc 5)
 - Gergen's book contains two pages that are not in Hodsoll's: These are: (1) a page beginning "Use of Nuclear Weapons (Qc543) and (2) a page beginning "Governor Reagan on the..." (Qc757)
- 2) The Subcommittee has a copy of Hodsoll's book therefore it does not have the pages beginning "Use of Nuclear Weapons" (Qc543) or "Governor Reagan on the ..." (Qc757). The Subcommittee's copy does have the two page cover memo (Qc4 and Qc5).
- 3) Hodsoll's book, except for the index (Qc6-Qc9), was prepared on one photo copy machine but the type machine is not identified. Hodsoll's index was not copied on the machine (Qc6-Qc9).

- 4) Gergen's big book section titled Leadership and Future Goals (Qc 531-542) and a second section including Military Superiority thru Neutron Bomb (Qc 544-575) were prepared on the same machine - a Kodak. This same machine may also have prepared Gergen's index (Qc527-530). This machine did not prepare the parts of Hodsoll's book mentioned in 3 alone.
- 5) Hodsoll's Vice Presidential papers (Qc 253-526) were copied on xerox 4500 and 5400 model machines.
- 6) Inderfurth's big book (Qc776) probably is not the source of Hodsoll's (Qc4-252) or Gergen's (Qc527-775) books. Aaron's big book (Qc777) was not the source of either Gergen's or Hodsoll's book but does have one photocopy machine in common with these two.

FINGERPRINTS

In a report dated 10/24/83 the FBI Fingerprint Section, Identification Division reported on its analysis of items Qc4 through Qc 775. The report states that 214 latent fingerprints were found and identified as follows:

2073

- 2 are of James A. Baker III. These are on a page of the Vice Presidential papers, not the "big books". (Qc 438 which begins "Mondale 'Our relationship with...;".)
- 56 are of Francis S.M. Hodsoll. His prints are on his book, his Vice Presidential papers and on Gergen's book.
- 8 are of David Gergen. These were on Hodsoll's book and 4 were on Gergen's book.
- 150 are of unknown origin but are not those of Baker, Hodsoll, Gergen, Casey, Allen or Corbin.

OTHER MATTERS

Document and fingerprint examinations were also done of two documents associated with John Lenczowski. The specimen copies were prepared on a photocopy machine which used plain paper and a dry toner fused by radiant heat. There are numerous photo machines that fit this description.

All four prints found on the documents were identified as those of John Lenczowski.

2074

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Washington Field Office (52A-18088) (SQ C-3) July 15, 1983

FBI FILE NO. 52-106049

LAB. NO. 30714030 D TY

Re: **FACTFIND
MAJOR CASE 48;
TGP**

OO: Washington Field Office

Examination requested by Washington Field Office

Reference Communication dated July 14, 1983

Examination requested Document - Fingerprint

XXXXXXXXXX

Specimens personally delivered by SA Alan J. Garretson on July 14, 1983:

Qc1 Photocopy of typewritten document entitled "International Broadcasting During the Carter Administration. . ."

Qc2 Photocopy of typewritten document entitled "RADIO - VOA and RFE/RL Carter Administration Accomplishments: . . ."

ALSO SUBMITTED:

Copies of Qc1 and Qc2, described above

Result of examination:

Specimens Qc1 and Qc2 were prepared on a photocopy machine which uses plain paper and dry toner fused by radiant heat. Lack of unique and identifying characteristics precluded any determination as to whether or not the machine used to prepare specimen Qc1 also prepared specimen Qc2. It should also be noted that there are numerous photocopying machines which match the description of plain paper, dry toner and radiant heat fusion.

2075



FEDERAL BUREAU OF INVESTIGATION
Washington, D. C. 20537

REPORT
of the
LATENT FINGERPRINT SECTION
IDENTIFICATION DIVISION

YOUR FILE NO. 52A-18088 (P) (SQ C-3) July 19, 1983
FBI FILE NO. 52-106049
LATENT CASE NO. C-23559

TO: SAC, WFO

RE: FACTFIND
MAJOR CASE 48;
TGP

REFERENCE: Airtel 7/14/83
EXAMINATION REQUESTED BY: WFO
SPECIMENS: Photocopies of typewritten document, Qc1 and Qc2

This report confirms and supplements information telephonically furnished to the Criminal Investigative Division on 7/15/83.

The specimens are further described in a separate Laboratory report, which will also include the disposition of the specimens.

The specimens were examined and eight latent fingerprints of value were developed, as follows:

Four fingerprints on Qc1
Four fingerprints on Qc2

The latent fingerprints have been identified as elimination fingerprints of John Lenczowski, born 7/20/50, FBI #727713X11.

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2076

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Washington Field Office (52A-18088)

September 13, 1983

FBI FILE NO. 52-106049

LAB. NO. 30831026 D TY

Re: "FACTFIND"
MAJOR CASE NUMBER 48;
TGP

OO: Washington Field Office

Examination requested by Washington Field Office

Reference: Communication dated August 30, 1983

Examination requested Document

Specimens received August 31, 1983

Specimen:

Q776 One black three-ring binder containing numerous photocopied documents

Result of examination:

Specimen Q776 is a "Presidential Debates Briefing Book". The content in this book is similar to the content in items previously received in this case. Specimen Q776 consists of multi-generation copies prepared on numerous photocopy machines.

No significant identifying characteristics were observed when specimen Q776 was compared with previously submitted items. For this reason, no conclusion was reached as to whether or not specimen Q776 was used as a model to prepare the items previously received.

Specimen Q776 is being returned separately. No photographs are being maintained.

2077

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Washington Field Office (52A-18088) (C-3) October 26, 198

FBI FILE NO. 52-106049

LAB. NO. 31014016 D TY

Re: "FACT FIND"
MAJOR CASE #48
TGP

OO: Washington Field Office

Examination requested by Washington Field Office
Reference Communication dated October 12, 1983
Examination requested Document
Specimens received October 14, 1983

Specimen:

Q777 One black three-ring binder containing numerous
 photocopied documents

Result of examination:

It was determined that the two previously submitted briefing books, specimens Qc4 through Qc252 and Qc527 through Qc775 were not copied from specimen Q777. However, some characteristics were observed which indicate that all three briefing books had at least one photocopy machine in common in their preparation.

Specimen Q777 is being returned separately.

2078

**REPORT
of the
FBI
TECHNICAL SERVICES DIVISION
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Washington Field (52A-18088) (C-3)

December 21, 1983

FBI FILE NO. 52-106049

LAH. NO. 30728001 E QE

Re: "FACTFIND"
MAJOR CASE 48
TCP

Specimens received July 27, 1983, personally delivered by SA Thomas R. Murray, WFO.

Q3 One Fuji KCA-60 3/4-inch U-Matic video cassette tape marked in part
"#4 OCT. 26, 80 GOV. REAGAN 4:30 SESSION."

Result of examination:

Three (3) processed video, direct audio copies of Q3 were made, each copy consisting of one 3/4-inch U-Matic video cassette tape with video time display (for reference).

It is noted that the periodic video distortion is due to periodic (physical) creases in the Q3 video tape. The nature of this anomaly suggests faulty manufacture of the Q3 video cassette, or a mechanical malfunction of the video recorder and/or the video playback machine. This does not affect the Q3 audio.

Q3 and the copies of Q3 were personally delivered to SA Thomas R. Murray, WFO, on August 4, 1983.

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16 (Rev. 10-25-79)



FEDERAL BUREAU OF INVESTIGATION
Washington, D. C. 20537

REPORT

of the
LATENT FINGERPRINT SECTION
IDENTIFICATION DIVISION

YOUR FILE NO. 52A-18088 (C-3) (P)
FBI FILE NO. 52-106049
LATENT CASE NO. C-23559

October 24, 1983

TO: SAC, WFO

RE: "FACTFIND";
MAJOR CASE #48
TCP

REFERENCE: Airtel 9/18/83 and telephone call 10/19/83
EXAMINATION REQUESTED BY: WFO
SPECIMENS: Qc4 through Qc775, photocopies of 772 typewritten pages,
your items #1 through #29

This report confirms and supplements the information
telephonically furnished on 10/21/83.

The listed 0 specimens are further described in a separate
Laboratory report.

The specimens were examined and 214 latent fingerprints,
nineteen latent palm prints, and eight latent impressions (fingerprints
or palm prints) of value were developed on 142 pages, designated Qc4
through Qc10, Qc12, Qc13, Qc15, Qc16, Qc19 through Qc21, Qc31, Qc43, Qc44,
Qc48, Qc49, Qc51, Qc52, Qc53, Qc58, Qc59, Qc75, Qc79, Qc81, Qc82, Qc85,
Qc88 through Qc90, Qc100, Qc103, Qc104, Qc107, Qc109 through Qc111, Qc116,
Qc117, Qc119, Qc120 through Qc122, Qc126, Qc127, Qc129, Qc130, Qc132
through Qc142, Qc144, Qc146 through Qc150, Qc154, Qc177, Qc179, Qc180,
Qc182, Qc185, Qc187 through Qc191, Qc194, Qc195, Qc197, Qc198, Qc203,
Qc207, Qc215, Qc216, Qc223, Qc234, Qc240, Qc242, Qc245, Qc246, Qc249

(Continued on next page)

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SAC, WFO

October 24, 1983

through Qc253, Qc261, Qc284, Qc330 through Qc333, Qc340, Qc355, Qc360 through Qc362, Qc376, Qc405, Qc416, Qc421, Qc423, Qc424, Qc430, Qc438, Qc439, Qc526 through Qc529, Qc532, Qc544, Qc548, Qc557, Qc558, Qc564, Qc568, Qc592, Qc594, Qc595, Qc597, Qc615, Qc629, Qc634, Qc636, Qc723, Qc729, Qc744, Qc756, Qc772, Qc774, and Qc775.

Two latent fingerprints, which were developed on a photocopy of a typewritten page beginning "Vondale 'Cur relationship with...'," Qc438, have been identified as finger impressions of James Addison Baker III, born 4/28/30, in Houston, Texas.

Fifty-six latent fingerprints, which were developed on photocopies of twenty-eight pages, have been identified as finger impressions of Francis S. M. Hodsoll, born 5/1/38, in Los Angeles, California, as follows:

One on page beginning "PRESIDENTIAL DEBATES Foreign Policy....," Qc4
 One on page beginning "IV. US-Soviet Relations....," Qc7
 Three on page beginning "IX. Latin America," Qc8
 Three on page beginning "behind basic principles of....," Qc15
 One on page beginning "Panamanian people, while retaining....," Qc16
 Two on page beginning "us second to none.," Qc48
 One on page beginning "with the Soviet Union....," Qc119
 Eight on page beginning "Last year we gave....," Qc129
 One on page beginning "Iran: Hostages Q.
Fifty-two....," Qc130
 Three on page beginning "Gov. Reagan on Iran....," Qc132
 One on page beginning "Middle East: Future of....," Qc138
 Two on page beginning "Global Issues: Good Intentions....," Qc190
 Four on page beginning "We are working to....," Qc203
 One on page beginning "Key Proposals in the....," Qc246
 One on page beginning "Persian Gulf Commitment....," Qc284

(Continued on next page)

SAC, WFO

October 24, 1983

Three on page beginning "(d) The Coast Guard....,"
Qc361
One on page beginning "STEALTH Reagan Ronald
Reagan....," Qc376
One on page beginning "Mondele 'We will also....',"
Qc423
One on page beginning "Mondele 'Our relationship
with....'," Qc438
Five on page beginning "PRFIDENTIAL DEBATE BRIEFING
BOOK....," Qc527
One on page beginning "Military Superiority vs.
Essential....," Qc544
Two on page beginning "Military Balance C.
Your....," Qc548
Two on page beginning "Arms Control: Role in....,"
Qc594
Two on page beginning "Response to the Soviet....,"
Qc615
One on page beginning "Gov. Reagan on the....," Qc620
Two on page beginning "the hostilities. But even....,"
Qc729
One on page beginning "relief, then I will....," Qc744
One on page beginning "Reagan Themes: Foreign
Policy....," Qc755

Eight latent fingerprints, which were developed on photocopies
of six pages, have been identified as finger impressions of David Richmond
Gergen, born 5/9/42, in Durham, North Carolina, FBI #766951F8, as follows:

Three on page beginning "Governor Reagan on the....,"
Qc49
One on page beginning "Gov. Reagan on Intervention....,"
Qc289
One on page beginning "PRFIDENTIAL DEBATE BRIEFING
BOOK....," Qc527
One on page beginning "Gov. Reagan in Defense....,"
Qc557
One on page beginning "Gov. Reagan on Defense....,"
Qc558
One on page beginning "Arms Control: Administration
Record....," Qc596

(Continued on next page)

2082

SAC, WFO

October 24, 1983

The remaining unidentified latent fingerprints and the latent impressions were not identified with the fingerprints of the following individuals:

James Addison Baker III, born 4/28/30, in Houston,
Texas, Conflict of Interest, White House,
Washington, D. C., #CO-3-31801
Francis S. M. Hodsoll, born 5/1/38, in Los Angeles,
California, Conflict of Interest, White House,
Washington, D. C., #CO-3-38770
David Richmond Gergen, born 5/9/42, in Durham,
North Carolina, FBI #76596158
William Joseph Casey, born 3/13/13, in Elmhurst,
New York, FBI #409263W4
Jerry Duane Jennings, born 7/2/40, in Flint,
Michigan, FBI #531892G
Richard Vincent Allen, born 1/1/36, in the State of
New Jersey, U. S. Navy service #C-576817, FBI
#152748Y3
Paul Corbin, born 2/2/14, in Winnipeg, Canada, FBI
#2417509

There are no palm prints available in the Identification Division files for these individuals. Fully and clearly recorded major case prints of these individuals are needed for conclusive comparisons to be made.

The specimens are being held in LFPS until picked up by a representative of your office.

2083

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

to SAC, Washington Field Office (52A-18088) (C-3) September 9, 1983

FBI FILE NO 52-106049

LAB NO 30822091 D TY

"FACTFIND"
MAJOR CASE #48;
TGP

00: Washington Field Office

Examination requested by Washington Field Office
Reference Communication dated August 18, 1983
Examination requested Document - Fingerprint
Specimens received August 22, 1983

Specimens:

Photocopies of two hundred forty-nine (249) typewritten pages (your item #1) further described as follows:

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc4	<u>PRESIDENTIAL DEBATES</u> Foreign Policy...
Qc5	emphasize the President's realism...
Qc6	<u>PRESIDENTIAL DEBATE BRIEFING BOOK</u> ...
Qc7	IV. <u>US-Soviet Relations</u> ...
Qc8	IX. <u>Latin America</u> ...
Qc9	XV. <u>Candidate Positions & Platforms</u> ...
Qc10	<u>Leadership</u> Q: A widespread...
Qc11	<u>I have a vision</u> ...
Qc12	<u>Unlike Governor Regan, I</u> ...
Qc13	protect our vital interests...

Page 1

(over)

SPECIMENPAGE BEGINNING

Qc14	our vital interests on...
Qc15	behind basic principles of...
Qc16	Panamanian people, while retaining...
Qc17	believe leadership requires a...
Qc18	<u>Future Goals</u> Q. What are...
Qc19	to push for the...
Qc20	<u>abandoned by our allies...</u>
Qc21	<u>Unlike my opponent, I...</u>
Qc22	<u>Military Superiority vs. Essential...</u>
Qc23	<u>It would mean the...</u>
Qc24	My Administration will preserve...
Qc25	<u>Gov. Reagan on Military...</u>
Qc26	<u>Military Balance</u> Q. Your...
Qc27	In the Strategic area,...
Qc28	air-launched cruise missile...
Qc29	<u>NATO is responding in...</u>
Qc30	We all hope and...
Qc31	<u>Gov. Reagan on the Military...</u>
Qc32	<u>Defense Spending...</u>
Qc33	<u>defense in constant...</u>
Qc34	Moreover, <u>my Administration...</u>
Qc35	Reagan has never wavered...

SPECIMENPAGE BEGINNING

Qc36	Recently, Reagan spelled out...
Qc37	<u>Strategic Program Cancellations...</u>
Qc38	three years I have...
Qc39	missiles are smaller...
Qc40	<u>Governor Reagan on Strategic...</u>
Qc41	<u>M-X (including ABM)</u>
Qc42	After studying dozens of...
Qc43	While we have focused...
Qc44	<u>Governor Reagan on MX...</u>
Qc45	<u>New Strategic Bomber...</u>
Qc46	<u>Nixon discarded. With...</u>
Qc47	New program was...
Qc48	us second to none. ...
Qc49	<u>Governor Reagan on the...</u>
Qc50	<u>Neutron Bomb...</u>
Qc51	<u>could cause serious...</u>
Qc52	<u>Governor Reagan on the...</u>
Qc53	<u>Nuclear Strategy...</u>
Qc54	Soviet cities to deter...
Qc55	I want to stress...
Qc56	<u>Representative Anderson on...</u>
Qc57	<u>Defense Manpower...</u>
Qc58	<u>allowance, a 25% increase...</u>

SPECIMENPAGE BEGINNING

Qc59	<u>Defense Readiness...</u>
Qc60	<u>Four years ago,...</u>
Qc61	First, recruiting for...
Qc62	access to our war...
Qc63	<u>Military Draft</u> Q. Critics...
Qc64	<u>Rapid Deployment Force...</u>
Qc65	<u>The Rapid Deployment Force...</u>
Qc66	We have already deployed...
Qc67	<u>Naval Strength</u> Q: In comparing...
Qc68	In contrast, <u>the program...</u>
Qc69	<u>Governor Reagan on Naval Strength...</u>
Qc70	<u>Arms Control: Role in...</u>
Qc71	Negotiate with the Soviets...
Qc72	<u>Arms Control: Administration...</u>
Qc73	all of which were...
Qc74	term milestone is a...
Qc75	<u>Arms Control-SALT Treaty...</u>
Qc76	off negotiations with the...
Qc77	Without SALT, the Soviets...
Qc78	an additional \$30 billion...
Qc79	Reagan opposed the SALT...
Qc80	By early 1980, Reagan...
Qc81	<u>Arms Control: Soviet Compliance...</u>

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc82	unfortunate ambiguities in the...
Qc83	Arms Control: TNF Negotiations...
Qc84	theater nuclear systems will...
Qc85	<u>They will take place...</u>
Qc86	<u>Arms Control: Sverdlvosk and...</u>
Qc87	Even though the limited...
Qc88	the Intelligence Community to...
Qc89	Arms Control: Soviet Use...
Qc90	weapons, and technically are...
Qc91	<u>Response to the Soviet...</u>
Qc92	<u>Most Americans support the...</u>
Qc93	<u>When we undertook these...</u>
Qc94	seek to achieve balanced...
Qc95	Governor Reagan on the...
Qc96	<u>Olympic Boycott</u> Reagan proposed...
Qc97	Reagan also proposed that...
Qc98	<u>The End of Detente...</u>
Qc99	divisible, that aggression need...
Qc100	our policies toward the...
Qc101	<u>Gov. Reagan on Detente...</u>
Qc102	<u>Nature of the Soviet Union...</u>
Qc103	would not destroy the...
Qc104	What we cannot accept...
Qc105	<u>Gov. Reagan on the...</u>

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc628	What we cannot accept...
Qc629	<u>Gov. Reagan on the...</u>
Qc630	<u>Geopolitical Issues</u> Q. The...
Qc631	1950s. Indonesia, Egypt and...
Qc632	voted against in the...
Qc633	<u>Gov. Reagan in Geographical...</u>
Qc634	<u>Human Rights and the...</u>
Qc635	We have presented annually...
Qc636	<u>at the forthcoming Conference...</u>
Qc637	<u>To stay away from...</u>
Qc638	<u>Gov. Reagan on CSCE...</u>
Qc639	<u>Western Europ</u> <u>d NATO:</u> ...
Qc640	in five summits. I...
Qc641	<u>Gov. Reagan on Western...</u>
Qc642	<u>Western Europe and NATO:</u> ...
Qc643	with the Soviet Union...
Qc644	<u>Western Europe and NATO:</u> ...
Qc645	This does not mean...
Qc646	<u>We are working hard...</u>
Qc647	<u>Western Europe and NATO:</u> ...
Qc648	<u>NATO has made a...</u>
Qc649	and to improve their...
Qc650	<u>Western Europe and NATO:</u> ...
Qc651	<u>(Greece and the Eastern...</u>

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc652	with President Kyprianou as...
Qc653	<u>Western Europe and NATO:</u> ...
Qc654	Last year we gave...
Qc655	<u>Iran: Hostages</u> Q. Fifty-two...
Qc656	<u>International condemnation of Iran,</u> ...
Qc657	<u>Gov. Reagan on Iran</u> ...
Qc658	<u>Defense of Persian Gulf</u> ...
Qc659	State of the Union...
Qc660	Marine and light infantry...
Qc661	<u>Gov. Reagan on the</u> ...
Qc662	<u>Allied Support in Persian</u> ...
Qc663	Another major source of...
Qc664	<u>In the Military sphere,</u> ...
Qc665	<u>Middle East: Future of</u> ...
Qc666	<u>Our support for Security</u> ...
Qc667	parties overcome difficult issues...
Qc668	<u>Gov. Reagan on the</u> ...
Qc669	<u>Middle East: The PLO</u> ...
Qc670	<u>Middle East: US-Israeli</u>
Qc671	is only one way...
Qc672	<u>Gov. Reagan on Settlements</u> ...
Qc673	<u>Afghanistan</u> Q: Some have...
Qc674	The fact is that...

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(over)

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc675	<u>prompt withdrawal of Soviet...</u>
Qc676	<u>Strengthen our position in...</u>
Qc677	<u>Aid to Pakistan...</u>
Qc678	<u>of such decisions. We...</u>
Qc679	<u>Pakistan and India Nuclear...</u>
Qc680	<u>Pakistan continues to develop...</u>
Qc681	<u>Soviet encroachment. It was...</u>
Qc682	<u>US Policy Toward China...</u>
Qc683	<u>to the January 1979...</u>
Qc684	<u>and the Soviet Union,...</u>
Qc685	<u>Gov. Reagan on China...</u>
Qc686	<u>Gov. Reagan on China...</u>
Qc687	<u>Vietnam and Southeast Asia...</u>
Qc688	<u>true in other regions...</u>
Qc689	<u>Security and Human Rights...</u>
Qc690	<u>I believe that the...</u>
Qc691	<u>Japanese Defense Expenditures...</u>
Qc692	<u>Self-Defense Forces are...</u>
Qc693	<u>Central America and the...</u>
Qc694	<u>pluralism, and they have...</u>
Qc695	<u>I might note, in...</u>
Qc696	<u>Gov. Reagan on Central...</u>
Qc697	<u>US Policy Toward Cuba...</u>

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc698	<u>until Cuba is prepared...</u>
Qc699	<u>We have taken steps...</u>
Qc700	<u>Gov. Reagan on Cuba...</u>
Qc701	<u>Impact of Human Rights...</u>
Qc702	<u>Bolivia, but even in...</u>
Qc703	<u>Panama Canal Treaties...</u>
Qc704	<u>There have been some...</u>
Qc705	<u>Gov. Reagan on Panama...</u>
Qc706	<u>Majority Rule and Southern...</u>
Qc707	I want to be...
Qc708	A peaceful transition to...
Qc709	<u>Soviet-Cuban Influence in...</u>
Qc710	There seems to be...
Qc711	<u>Horn of Africa...</u>
Qc712	<u>Foreign Assistance and Security...</u>
Qc713	We have provided nearly...
Qc714	<u>Global Issues: Good Intentions...</u>
Qc715	<u>International Nuclear Fuel Cycle...</u>
Qc716	The United States cannot...
Qc717	policy interests, not of...
Qc718	<u>Global Issues: Human Rights...</u>
Qc719	officially sanctioned so-called...
Qc720	My own faith in...

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc721	<u>Gov. Reagan on Human...</u>
Qc722	<u>Gov. Reagan on Non-proliferation...</u>
Qc723	<u>Global Issues: Non-Proliferation...</u>
Qc724	<u>weapon states make progress...</u>
Qc725	<u>Global Issues: Arms Transfer...</u>
Qc726	<u>ceiling on the dollar...</u>
Qc727	We are working to...
Qc728	<u>Persian Gulf Oil...</u>
Qc729	the hostilities. But even...
Qc730	It is for this...
Qc731	<u>North/South: Helping the...</u>
Qc732	U.S. bilateral assistance to...
Qc733	The United States, of...
Qc734	<u>Trade: Disincentives...</u>
Qc735	to spur the modernization...
Qc736	<u>Trade: Access to Foreign...</u>
Qc737	At the invitation of...
Qc738	suitable for mass sales...
Qc739	<u>Trade: Export Promotion...</u>
Qc740	On another front, the...
Qc741	<u>Trade: Increasing Productivity...</u>
Qc742	<u>Trade: Japanese Autos:...</u>
Qc743	<u>To promote an increase...</u>

SPECIMENPAGE BEGINNING

Qc744 relief, then I will...
 Qc745 Decline of the Dollar...
 Qc746 Today the dollar has...
 Qc747 Intelligence Reform...
 Qc748 Gov. Reagan on Intelligence...
 Qc749 Gov. Reagan on Intelligence...
 Qc750 Refugees Q: Recently we have...
 Qc751 But we need help...
 Qc752 Gov. Reagan on Refugees...
 Qc753 The United Nations...
 Qc754 longer in the position...
 Qc755 Gov. Reagan on the...
 Qc756 Reagan Themes: Foreign Policy...
 Qc757 15. We stand by idly...
 Qc758 Most Notable Reagan Quotes...
 Qc759 On the Soviet Union...
 Qc760 On China and Taiwan...
 Qc761 Republican Platform Charges Against...
 Qc762 Morale of National Intelligence...
 Qc763 Dangerous and Incomprehensible Policies...
 Qc764 Key Proposals in the...
 Qc765 Support legislation to invoke...
 Qc766 Admit Puerto Rico to...

<u>SPECIMEN</u>	<u>PAGE BEGINNING</u>
Qc767	Anderson Themes: Foreign Policy...
Qc768	16. Would continue present informal...
Qc769	KEY FOREIGN POLICY AND...
Qc770	<u>Key Proposals in the...</u>
Qc771	<u>Gov. Reagan on Foreign...</u>
Qc772	<u>Gov. Reagan on Intervention...</u>
Qc773	<u>Gov. Reagan on Intervention...</u>
Qc774	<u>Gov. Reagan on Intervention...</u>
Qc775	<u>Gov. Reagan on the...</u>

Result of examination:

Specimens Qc6 through Qc9 (Your item #1) were prepared using specimens Qc527 through Qc530 (Your item #29) as the model.

Specimens Qc531 through Qc774 (the remainder of Your item #29) were prepared using specimens Qc10 through Qc252 (the remainder of Your item #1) as the model.

Specimens Qc543 and Qc775 (Your item #29) had no corresponding duplicates in Your item #1.

Specimens Qc4 and Qc5 (Your item #1) had no corresponding duplicates in Your item #29.

Specimens Qc4, Qc5 and Qc10 through Qc252 were all prepared on the same photocopy machine.

Specimens Qc531 through Qc542 and Qc544 through Qc575 were all prepared on the same photocopy machine. This machine may also have been used to prepare specimens Qc527 through Qc530. This machine most closely resembles the Laboratory standard for Kodak photocopy machines. This machine was not used to prepare specimens Qc4, Qc5 and Qc10 through Qc252. No conclusion was reached regarding specimen Qc543.

A third photocopy machine was used to prepare specimens Qc6 through Qc9.

Lack of unique identifying characteristics precluded any determination as to the make and model of the photocopy machines used to prepare specimens Qc4 through Qc252.

The photocopy machines used to prepare specimens Qc253 through Qc526 (Your items #2 through #28) most closely resembles the Laboratory standard for Xerox models 4500 and 5400. No conclusion was reached as to whether or not the photocopy machine used to prepare specimens Qc253 through Qc526 prepared specimens Qc6 through Qc9. However, they probably were not used to prepare specimens Qc4, Qc5 and Qc10 through Qc252.

You will be separately advised regarding the results of the latent fingerprint examination and the disposition of specimens Qc4 through Qc775. Photographs have been retained.

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

REPORT

of the

**LATENT FINGERPRINT SECTION
IDENTIFICATION DIVISION**

YOUR FILE NO. 524-18088 (P) (C-3)
FBI FILE NO. 52-106049
LATENT CASE NO. C-23559

March 15, 1984

TO: SAC, WFO

RE: "FACTFIND"
MAJOR CASE 48;
TGP

REFERENCE: Bureau telephone call 3/7/84 and WFO teletype 3/13/84
EXAMINATION REQUESTED BY: Bureau and WFO
SPECIMENS

The previously reported unidentified latent fingerprints and latent impressions, which are fingerprints or partial palm prints, in the captioned case were compared with the available fingerprints of the following individuals, but no identification was effected:

Edwin Meese III, born 12/2/31, in Oakland, California,
Social Security Account #567-30-8505
Stephen Joseph McCormick, born 5/4/14, in Taunton,
Massachusetts, Social Security Account
#577-03-7407
David Laurence Aaron, born 8/21/38, in Chicago,
Illinois, FBI #773550S2

(Continued on next page)

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SAC, WFO

March 15, 1984

Karl Frederick Inderfurth, born 9/29/46, in
Charlotte, North Carolina, FBI #252280Y1
Eric David Newsom, born 4/4/43, in Wetumpka,
Oklahoma, U.S. Civil Service Commission
#T7 6T 26491
Lora Amelia Simkus, nee Dennis, born 7/5/32,
in Sanford, Florida, FBI #588543Z5
Kathy Lynn McGraw, born 10/10/51, in Portsmouth,
Ohio, FBI #859275Y1
Wilma Gray Hall, born 7/3/40, in Johnson County,
North Carolina, FBI #466207S11
Dennis Lee Chapman, born 5/30/44, in Cleveland,
Ohio, Social Security Account #288-38-8429
Manuel Louis Rubio, born 1/15/44, in Tampa,
Florida, FBI #145684Y4
James Joseph Middleton, born 12/7/41, in
Syracuse, New York, FBI #961136Y4
Gerry Moore Cunningham, born 6/28/41, in
Uniontown, Pennsylvania, U.S. Secret Service,
Technical Security Division, Washington, D.C.,
#CO-3-21800
William Frederick Blitgen, born 9/11/48, in
Washington, D.C., FBI #724023W7
Robert Martin Garrick, born 3/11/20, in
West New York, New Jersey, FBI #409128W10
Mitchell Fanning Stanley, born 3/18/55, in
Washington, D.C., FBI #724134W6
Stefan Alan Halper, born 6/4/44, in Glen Ridge,
New Jersey, FBI #775506S3
Emily Lewis Ford, born 6/6/58, in Austin,
Texas, FBI #612743W7
Elizabeth Alden Lang, born 1/8/59, in Lexington,
Kentucky, FBI #724038W1
Joseph Charles Crawford, born 8/20/44, in Bismarck,
North Dakota, Social Security Account
#501-4S-239S
Anthony Rossi Dolan, born 7/7/48, in Norwalk,
Connecticut, FBI #612565W3
John Andrew Zidzik, Jr., born 7/24/47, in Windbar,
Pennsylvania, FBI #331620W5
Mark Alan Ashworth, born 12/11/59, in Paris,
France, FBI #724160W6

(Continued on next page)

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SAC, WFO

March 15, 1984

Charles Andrew Cudahy, Jr., born 3/30/48, in
Rochester, New York, FBI #402474W7
Florence Elizabeth Dwyer (Gantt), born 2/9/40,
in Donora, Pennsylvania, FBI #768248Y6
Leslie George Denend, born 3/6/41, in
San Francisco, California, FBI #255590D

There are no palm prints available in the Identification Division files for these individuals for comparison with the previously reported latent palm prints and latent impressions. Fully and clearly recorded major case prints of these individuals are needed for conclusive comparisons to be made.

On the basis of the information furnished, no fingerprint records were located in the Identification Division files for the following individuals:

Ann Matigan
Justine Estes Marks
Martina Ann Brannan

APPENDIX VI

LEGAL MEMORANDA AND AGENCY ETHICS
PROGRAMS



Congressional Research Service
The Library of Congress

Washington, D.C. 20540

April 13, 1984

TO : House Post Office/Civil Service Committee
Subcommittee on Human Resources
Attention: John Fitzgerald

FROM : American Law Division

SUBJECT: Propriety Of Federal Employees Preparing Alleged Issue Paper For
Reagan Campaign

This memorandum responds to the Committee request as discussed with Committee staff employee John Fitzgerald. The request entails an analysis of whether participation by federal employees in the preparation of a briefing paper or issue paper on nuclear energy, if done for the Reagan campaign, could entail "Hatch Act" violations by the federal employees involved, and whether the use of governmental information not made available to the public in such a briefing paper violates ethical standards of conduct for government employees.

The briefing paper or issue paper in question is undated, and contains a handwritten cover note from William A. Wilson (now ambassador to the Vatican) addressed "Dear Ronnie." The note explains that the issues and answer discussion was "prepared by friends of mine in the D[epartment] of Energy and the Argonne National Laboratory." The issue paper contains numerous specific references to and criticisms of the Carter Administration energy policy and certain suggestions to answer or rebut criticisms of nuclear energy.

If the issue paper in question had actually been prepared by or worked on by federal employees in the Department of Energy who are covered by the "Hatch Act"

provisions, and if the paper had been written with the intent or purpose to be used as background or briefing paper in the presidential campaign, then it would appear that Hatch Act violations would have occurred.

The "no politics" restriction of the so-called "Hatch Act" is applicable to any "employee in an Executive agency...", except those specifically exempted by statute. (see now 5 U.S.C. § 7324(a)(2)). The term "Executive agency" is broadly defined for purposes of Title 5 of the United States Code to mean "an Executive department, a Government corporation, and an independent establishment" (5 U.S.C. § 105), and thus would specifically include the Department of Energy (see 5 U.S.C. § 101). Only those officers or employees of the Department of Energy who are the head or assistant head of the Department, or who are appointed by the President with the advice and consent of the Senate and who determine national policy, are exempt from the "no politics" restrictions of the "Hatch Act" (see 5 U.S.C. § 7324(d)(2) and (3)). All other Department of Energy employees are covered by the restrictions on partisan political activities. Persons who are employees of contractors of the federal government are not covered by the Hatch Act restrictions,^{1/} as this bar goes only to federal employees.

The Hatch Act specifically prohibits a federal employee in the executive branch from taking "an active part in political management or in political campaigns" (5 U.S.C. § 7324(a)(2)). This restriction has been interpreted to prohibit a wide range of activities, including voluntary and behind-the-scenes activities, which are aimed at the success or defeat of a candidate or a party in a partisan election. Publications by the former Civil Service Commission,

^{1/} This memorandum does not address the issue of whether contract funds were used to prepare a document for campaign usage and if such funds were used, the propriety under federal law and regulation of such usage.

which had authority over the Hatch Act prior to the Civil Service Reform Act of 1978,^{2/} explained in general terms:

Volunteer work for a partisan candidate, campaign committee, political party, or nominating convention of a political party is prohibited, whether the work involves contact with the public or not.

"Federal Employees Political Participation",
United States Civil Service Commission,
GC-46, 1972, at 2.

The law prohibits direct action to assist a partisan candidate or political party in a campaign. Thus, he is not permitted to do clerical work at campaign headquarters, write campaign speeches, or canvass voters for the purpose of promoting support for the candidate or political party.

"Political Activity Information",
United States Civil Service Commission,
GC-36, September 1975, at 3.

In interpreting the statutory restriction the former Civil Service Commission has ruled generally that "service on or for any political committee constitutes prohibited political activity, and that an employee may not become prominently identified with any political movement, party or faction or with the success or failure of any candidate for election to public office." Crawford, CSC No. F-1191-46, 1 P.A.R. 262, 263. Similarly, the Commission has ruled that "Any activity for or against a candidate for a partisan elective office is held to be in contravention of the said law and rule." Raburn, CSC No. F. 1218-48, 1 P.A.R. 523, 524.

The "Hatch Act" restrictions have been found to permit the private or public expression of one's personal views and opinions on political matters, but to prohibit expression or activity which is intended to assist in the election or defeat of a candidate for office. In discussing this standard and the Supreme

^{2/} P.L. 95-454. Enforcement authority for the Hatch Act is currently under the Office of Special Counsel of the Merit System Protection Board.

Court decision upholding the Hatch Act against constitutional challenges, the Civil Service Commission stated as follows in a 1965 ruling:

In United Public Workers v. Mitchell, 330 US 75 (1947) at page 100, the Supreme Court answered in favor of the constitutionality of the Act attacks grounded on the right of Free Speech. It held that "Expressions, public or private, on public affairs, personalities, and matters of public interest, not an objective of party action, are unrestricted by law so long as the government employee does not direct his activities toward party success." Thus, the question here does not turn on whether the postal cards represented a "private," as opposed to a "public," expression of opinion, nor whether the opinion expressed by the respondent coincided with the views of the Republican Party, but whether the respondent's action ... may fairly be said, in light of the message as a whole, to be directed toward party success.

Warnshuis, CSC No. F-1702-65,
1 P.A.R. 893, 896. (Emphasis
added.)

Under these standards the former Civil Service Commission has found a violation of the Hatch Act by a federal employee who "actively participated in the 'handling' of either the 'drafting' or the 'printing' of a political cartoon" intended to be used, and used, in a partisan political campaign. Jordan, CSC No. F-1369-52, 1 P.A.R. 648, 648-649.

Assistance by a federal employee covered by the Hatch Act restrictions in the preparation of materials intended to be used for campaign purposes, that is, to assist a candidate or a party in a partisan political campaign as a background paper or a briefing paper, would therefore appear to entail activity violative of the Hatch Act restrictions upon taking an active part in political campaigns. If the briefing paper in question were prepared for other, non-partisan and non-campaign purposes, but were used by the Reagan campaign as background on the issues involved, then federal employees' participation in the preparation of the document might not contravene the Hatch Act. Similarly, if the briefing papers were prepared subsequent to the elections to provide the Reagan-Bush transition

team with options and statistics with which to formulate a nuclear energy policy, then such preparations might not entail Hatch Act violations. However, the overall tone of the issue/briefing papers in question, the specific references to and criticisms of Carter Administration energy policies, the specific arguments, data and theories with which to rebut Carter Administration positions and actions on nuclear energy, ^{3/} as well as the cover/transmittal note attached to the papers, taken together may arguably indicate a campaign and partisan political purpose for the material if prepared prior to the presidential election (see, for example, Bodine, CSC No. 1707-66, 1 P.A.R. 923, where a reprint of a State Department pamphlet which contained a "Publisher's Notice" criticizing President Johnson and supporting the defense policies of Senator Goldwater, was found to be "campaign material" such that its distribution by a federal employee prior to the election

^{3/} The briefing/issue paper contained statements and arguments such as, for example:

"Mr. Carter's energy policies, with the no-growth, anti-technology philosophy so wide-spread in his administration, have allowed OPEC to bring us to our knees."

* * *

"With nuclear power, Carter Administration policies have brought the U.S. nuclear industry to the brink of collapse."

* * *

"The failure of the Carter Administration to establish such coherent nuclear policy resulted in the cancellation of a large number of nuclear plants, and long licensing delays. Any further delays in licensing and construction of nuclear power plants could cause widespread power shortages starting as early as 1981." (footnotes omitted)

* * *

"The Carter Administration has ... tried to cancel such a [nuclear waste disposal] facility that was actually authorized by Congress. It is irresponsible actions like these that have brought us to the state of energy helplessness we are now in."

* * *

"Demonstrating to the American public that nuclear waste can be disposed safely would cement public confidence in nuclear power--and, it would rob Carter Administration environmentalists of their best nuclear issue."

would entail a Hatch Act violation, while distribution of a book with only passing, incidental reference to the presidential candidates was not found a violation.)

The question has also been posed as to whether a violation of federal law or regulation would have occurred if employees in the Department of Energy, in preparing the briefing paper, used non-classified and non-restricted information gained from their employment which at that time had not been made available to the public. Standard of conduct regulations promulgated by the Department of Energy under authority of Executive Order No. 11222 (30 F.R. 6469, May 8, 1965) and under authority of OPM regulations at 5 C.F.R. § 735.104, provide for guidance on the use of official information. Department of Energy regulations, at 10 C.F.R. § 1010.209 provide as follows:

§ 1010.209 Misuse of information.
 (a) For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (c) of § 1010.204, directly or indirectly use, or allow the use of, official information obtained through or in connection with the employee's Government employment which has not been made available to the general public.
 (b) An employee of DOE shall not improperly divulge or disclose any trade secrets, processes, financial data, or other business information which is submitted to or filed with DOE on a confidential basis.

The latter prohibition set out in paragraph (b) above, is also embodied in a federal criminal statute at 18 U.S.C. § 1905.

The prohibition within § 1010.209(a) would thus prohibit the use of information by employees which has not been made public "for the purpose of furthering a private interest." No interpretation of this particular phrase has been found in preliminary research, but the language appears on its face to be broad

enough to cover furthering an individual's candidacy as an act which would further "a private interest." That the "private interest" involved does not need to be interpreted narrowly to mean only an immediate financial interest of someone might arguably be supported by a citation to the Department of Energy regulation at 10 C.F.R. § 1010.301(c)(2) which narrowly covers such a restriction on employees engaging in financial transactions as a result of or relying on information obtained through government employment when such information has not been made public. The restrictions at 1010.209(a) might thus arguably have been intended to have a broader meaning to cover matters not included in the narrower restriction on financial transactions. Concerning a broad reading of the Agency's ethical standards, it should be noted that the regulations of the Department of Energy further instruct employees to avoid any actions, even if not specifically prohibited by an agency standard of conduct regulation, which might result in, or create the appearance of:

- (1) Using public office for private gain;
- (2) Giving preferential treatment to any person;
- (3) Impeding Government efficiency or economy;
- (4) Losing complete independence or impartiality;
- (5) Making a Government decision outside official channels; or
- (6) Affecting adversely the confidence of the public in the integrity of the Government.

10 C.F.R. § 1010.10(a)

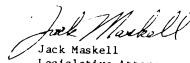
Similar restrictions on the use of information are included in the regulations when employees are engaged in any outside writing, teaching or lecturing activities. In such cases, information not made available to the public may be used when written authorization from the Secretary is received:

* * *

§ 1010.204 Outside employment and other outside activity.

(c) Within the limitations imposed by this section, employees are encouraged to engage in teaching, lecturing, and writing. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of the employee's Government employment, except when such information has been made available to the general public or will be made available on request, or when the Secretary gives written authorization for the use of non-public information on the basis that the use is in the public interest. In addition, DOE employees, including Presidential appointees, shall not receive compensation or anything of monetary value (such as an honorarium) for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of DOE, or which draws substantially on official data or ideas which have not become part of the body of public information, or where the sponsor is an interested party.

Finally, the regulations of the Department of Energy provide that an "employee shall not directly or indirectly use ... Government property of any kind ... for other than officially approved activities" (10 C.F.R. § 1010.207), thus requiring that any work on a document, which is not an officially approved work product of the employee, not be performed using government equipment, supplies or other property.


 Jack Maskell
 Legislative Attorney
 American Law Division
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February 15, 1984

TO : House Committee on Post Office and Civil Service
Subcommittee on Human Resources
Attention: John Fitzgerald

FROM : American Law Division

SUBJECT: Applicability of the "Hatch Act" to Foreign Service Officers, Agents
of the CIA, and the Military

This memorandum is submitted in response to your request for information on the applicability of the so-called "Hatch Act", restricting political activities of executive branch employees, to Foreign Service officers, agents of the Central Intelligence Agency, and military personnel.

What is commonly referred to as the "Hatch Act", the provision of federal law which restricts partisan political activities by employees of the executive branch of the federal government, is substantially derived from section 9 of the Act of August 2, 1938, P.L. 76-252, 53 Stat. 1147, and is currently codified at 5 U.S.C. § 7324. This provision of law generally bars any "employee" in an "executive agency" from (1) using his official authority to influence or interfere with the results of an election and (2) to take an active part in political management or in political campaigns. (§ 7324(a)) There are several specific exemptions within the statutory provisions which exempt certain employees and officers from the "no politics" restriction of subsection (a)(2). There are no specific exemptions within the statute from the provisions of subsection (a)(1), prohibiting the use of one's official authority to interfere with or affect the outcome of an election.

Officers and employees of executive agencies who are exempt from the "no politics" provisions of § 7324(a)(2) are listed as follows at § 7324(d):

- (1) an employee paid from the appropriation for the office of the President;
- (2) the head or the assistant head of an Executive department or military department;
- (3) an employee appointed by the President, by and with the advice of the Senate, who determines policies to be pursued by the United States in its relations to foreign powers or in the nationwide administration of Federal laws....

Foreign Service officers, and employees of the Foreign Service would appear to come within the prohibitions of the "Hatch Act" as "employees" of the Department of State (See definition of "employee" for purposes of title 5 U.S.C., at 5 U.S.C. § 2105, and definitions of "Executive agency", 5 U.S.C. § 105, and "Executive department", 5 U.S.C. § 101). Foreign Service officers who are appointed by the President with the advice and consent of the Senate (see 22 U.S.C. § 3942 (a)(1)), and who "determine[] policies to be pursued by the United States in its relations to foreign powers" (5 U.S.C. § 7324(d)(3)), would come within the exemption to the "no politics" rule of the so-called Hatch Act, 5 U.S.C. § 7324(a)(2), but would remain subject to the prohibition on using one's official position to interfere with or influence the outcome of any election (5 U.S.C. § 7324(a)(1)). Members of the Foreign Service appointed by the Secretary of State (see 22 U.S.C. § 3943, see also Executive Order No. 12293, Feb. 23, 1981, 46 F.R. 13969, section 1) would come within the full restrictions of the "Hatch Act" (see generally, Department of State regulations on employee conduct, 22 C.F.R. § 10.735-211(h)).


Officers and employees of the Central Intelligence Agency would also appear to come within the provisions of the "no politics" rule of the "Hatch Act" (§ 7324(a)(2)), unless they were appointed by the President with the advice and consent of the Senate and determine policies pursued by the United States in its relations to foreign powers or in the national administration of federal laws.

Persons so appointed would be exempt from the restrictions of subsection (a)(2) of 5 U.S.C. § 7324. Whether or not an "agent" of the CIA would come within the provisions of the "Hatch Act" might revolve around an investigation and determination as to whether the specific individual in question is actually an "employee" of the agency (see 5 U.S.C. § 2105), or whether the agent is considered to be an independent contractor of the agency, or have another status other than officer or employee. Generally, for one to be considered an "employee" of an agency of the federal government that person must be appointed by a federal officer or employee to a position in the civil service established by law; must be engaged in the performance of a "federal function" under authority of law; and must be subject to the supervision of a federal officer or employee. (5 U.S.C. § 2105; note 53 Comp. Gen. 542 (1974); Metcalf & Eddy v. Mitchell, 269 U.S. 514 (1925)). Thus, "agents" of the CIA who may be compensated for gathering intelligence information abroad on an occasional or intermittent basis, or even on an on-going basis, may not be in the same category as full-time or part-time "employees" or officers of the Central Intelligence Agency.

Military personnel might appear at first glance to come within the provisions of the "Hatch Act" since such persons would arguably be "employees" of an "Executive agency", as defined at 5 U.S.C. § 105 to include the Department of Defense as an "Executive department", 5 U.S.C. § 101. However, the former Civil Service Commission which had authority over the Hatch Act prior to the Civil Service Reform Act of 1978, ruled in 1956 that since it has no jurisdiction to remove or suspend members of the military (the penalties under the Hatch Act), they are therefore not covered by the "Hatch Act" restrictions (U.S. Civil Service Commission memorandum "Applicability of Sections 9 through 12 of the Hatch Act to Officers and Members of the Armed Forces of the United States and of the National Guard and

State Militia", April 9, 1956). Although not covered by the "Hatch Act" restrictions, by virtue of Defense Department Directive 1344.10, members of the United States Armed Forces who are on active full time duty for a period of 30 days or more are prohibited from engaging in activities similar to those prohibited under the "Hatch Act." Since the DOD directive is applicable only to active full time duty members, its prohibitions do not apply to retired military personnel, nor to reservists unless they are called to full time active duty for more than 30 days. Civilian employees of the Department of Defense would appear to come within the general provisions of the "Hatch Act" as "employees" of an "Executive agency."

For your information, a copy of the DOD directive 1344.10 is enclosed, as well as general information on permissible and prohibited activities of persons covered under the "Hatch Act" restrictions.


Jack Maskell
Legislative Attorney
American Law Division
February 15, 1984



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Washington, D.C. 20540

February 15, 1984

TO : Honorable Donald Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
Attention: John Fitzgerald

FROM : American Law Division

SUBJECT: Coverage Under Independent Counsel Provisions of the Ethics in
Government Act of 1978

This memorandum is submitted in response to the subcommittee's request, as clarified by our discussions with John Fitzgerald of the subcommittee staff, for information concerning the above subject. Specifically, the subcommittee has requested a list of current government officials in the Reagan administration who are covered under the independent counsel provisions of the Ethics in Government Act of 1978, Pub. L. No. 95-521, § 601(a), 92 Stat. 1867, as amended, Pub. L. No. 97-409, §§ 3, 4(a), 96 Stat. 2039, 2040, codified as 28 U.S.C. § 591(b). Subsection (b) lists five major categories of current government officials who are covered by the independent counsel provisions.^{1/} These categories (in the statutory language) are listed below, followed in each case by an indication of the names of the incumbents of the listed positions. The names of the current occupants of the various offices have been

^{1/} The Attorney General may apply for an independent counsel in cases involving individuals not covered under 28 U.S.C. § 591(b) if the investigation of the individual by the Attorney General or other officer of the Justice Department might result in a personal, financial, or political conflict of interest. 28 U.S.C. § 591(c).

obtained from The United States Government Manual--1983-84 (revised July 1, 1983), and other appropriate sources. Where a position is vacant and is presently filled by an acting official, that individuals's name is listed.

28 U.S.C. § 591(b)(1). "The President and Vice President." Ronald Reagan and George Bush.

28 U.S.C. § 591(b)(2). "Any individual serving in a position listed in section 5312 of title 5 [of the U.S. Code]." The positions listed in section 5312, and the incumbents, are as follows:

Secretary of State - George Shultz
 Secretary of the Treasury - Donald Regan
 Secretary of Defense - Caspar Weinberger
 Attorney General - William French Smith
 Secretary of the Interior - William Clark
 Secretary of Agriculture - John Block
 Secretary of Commerce - Malcolm Baldrige
 Secretary of Labor - Raymond Donovan
 Secretary of Health and Human Services - Margaret Heckler
 Secretary of Housing and Urban Development - Samuel Pierce
 Secretary of Transportation - Elizabeth Dole
 United States Trade Representative - William Brock
 Secretary of Energy - Donald Hodel
 Secretary of Education - Terrel Bell

28 U.S.C. § 591(b)(3). "Any individual working in the Executive Office of the President who is compensated at or above a rate equivalent to level II of the Executive Schedule under section 5313 of title 5 [U.S. Code]." As discussed with Mr. Fitzgerald, there appears to be no generally available

published source of the persons in this category. Therefore, at Mr. Fitzgerald's direction, we obtained this information by other means. According to information provided to us by Raymond Kogut (395-3765), director of personnel at the Executive Office of the President, the following individuals in the Executive Office of the President are compensated at or above a rate equivalent to Executive Schedule level II:^{2/}

Chairman of the Council of Economic Advisers - Martin Feldstein
 Chairman of the Council on Environmental Quality - A. Alan Hill
 Director of the Office of Management and Budget - David Stockman
 Office of United States Trade Representative - William Brock
 Chief of Staff, Office of the Vice President - Daniel Murphy
 Director, Office of Science and Technology Policy - George Keyworth
 Chief of Staff - James Baker
 Press Secretary - James Brady
 Deputy to the Chief of Staff - Richard Darman
 Deputy Chief of Staff - Michael Deaver
 Counsel to the President - Fred Fielding
 Assistant to the President for Cabinet Affairs - Craig Fuller
 Assistant to the President for Presidential Personnel - John
 Herrington
 Deputy Counselor to the President - James Jenkins
 Assistant to the President for National Security Affairs - Robert
 McFarlane
 Deputy to the Deputy Chief of Staff - Michael McManus

^{2/} All but the first six positions also carry the title of Assistant to the President.

Counselor to the President - Edwin Meese

Assistant to the President for Legislative Affairs - M. B. Oglesby

Assistant to the President for Management and Administration - John

Rogers

Principal Deputy Press Secretary - Larry Speakes

Assistant to the President for Policy Development - John Svahn

Assistant to the President for Intergovernmental Affairs - Lee

Verastandig

Assistant to the President for Public Liaison - Faith Whittlesey

Assistant to the President for Special Support Services - Edward

Hickey

28 U.S.C. § 591(b)(4). "Any Assistant Attorney General and any individual working in the Department of Justice compensated at a rate at or above level III of the Executive Schedule under section 5314 of title 5 [U.S. Code]." These positions and their incumbents are as follows:

Solicitor General - Rex Lee

Director of the Federal Bureau of Investigation - William Webster

Deputy Attorney General - Edward Schmults

Associate Attorney General - D. Lowell Jensen

Director, Office of Justice Assistance, Research, and Statistics -

Lois Herrington

Assistant Attorney General, Office of Legal Counsel - Theodore Olson

Assistant Attorney General, Office of Legislative Affairs - Robert

McConnell

Assistant Attorney General, Office of Legal Policy - Jonathan Rose

Assistant Attorney General for Administration, Justice Management

Division - Kevin Rooney

Assistant Attorney General, Antitrust Division - J. Paul McGrath

Assistant Attorney General, Civil Division - Richard Willard

Assistant Attorney General, Civil Rights Division - William Reynolds

Assistant Attorney General, Criminal Division - Stephen Trott

Assistant Attorney General, Land and Natural Resources Division -
Carol Dinkins

Assistant Attorney General, Tax Division - Glenn Archer

28 U.S.C. § 591(b)(5). "The Director of Central Intelligence, the Deputy

Director of Central Intelligence, and the Commissioner of Internal Revenue."

These officials are as follows:

Director, CIA - William Casey

Deputy Director, CIA - John McMahon

Commissioner, IRS - Roscoe Egger

Jay R. Shampansky
Jay R. Shampansky
Legislative Attorney
American Law Division
February 15, 1984



Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 23, 1984

AG
802-633-2007

REPORT OF THE DEPARTMENT OF JUSTICE REGARDING THE CARTER DEBATE BRIEFING MATERIALS

In June of 1983 the Federal Bureau of Investigation commenced an intensive investigation into how certain briefing materials prepared for President Carter prior to the October 1980 Presidential Debate were obtained by individuals assisting the campaign of Ronald Reagan. This investigation has now been closed by the Criminal Division of the Department of Justice. Although every lead has been followed to its conclusion, the investigation has not been able to determine precisely how the briefing materials in question were transmitted. However, the investigation uncovered no credible evidence that the transfer violated any criminal law.

This report sets forth a description of the investigative process, a summary and analysis of the investigative results, and a discussion of the applicable law.

I. THE INVESTIGATION

In mid June of last year there were reports that briefing books prepared for President Carter were improperly obtained by Reagan aides just prior to the October 28, 1983 presidential debate. In response to both the many questions raised in the press and the President's specific request, on June 29, 1983 the Department requested the FBI to "conduct an appropriate investigation to ascertain how the materials were obtained and by whom."

From June 1983 to February 1984 the FBI, in coordination with the Public Integrity Section of the Criminal Division, has conducted an investigation into the circumstances of the briefing materials as well as several other related matters that arose during the investigation. Over 220 individuals including President Reagan and many other high officials of both the Carter and Reagan campaign were interviewed one or more times. Approximately one thousand boxes of documents, audio and video tapes were reviewed by the FBI including the Reagan campaign files, videotapes of the Debate preparations and hundreds of other documents relating to facts and circumstances in the investigation. In addition, where appropriate, forensic laboratory examinations of documents were conducted. All FBI interviews have been reviewed by and all documents acquired by the FBI in the course of the investigation have been provided to the House Subcommittee on Human Resources of the Post Office and Civil Service Committee.

II. INVESTIGATIVE RESULTS

A. Factual

1. Briefing Materials - The following has been established:
 - a) The only Carter debate briefing materials which the evidence established to be in the possession of Reagan supporters prior to the debate were photocopies of a rough draft of foreign policy briefing material and photocopies of a draft of briefing material prepared for Vice President Mondale. While there is some uncertainty in the recollection of certain individuals as to what they saw, there is no firm evidence that the final Carter briefing books were ever in the possession of any Reagan aides prior to the debate.
 - b) No government documents are among the briefing materials that were obtained by the Reagan campaign. They were drafts created for the Carter campaign. They were not produced on government time or at government expense, and they were based on public source material.
 - c) No classified information was contained in the briefing materials.
 - d) Few internal controls over the distribution and confidentiality of these materials existed within the Carter campaign. Most of the individuals with access to them, including many non-government secretaries, did not consider them particularly sensitive.
 - e) Other than in assisting David Stockman in his preparation for the mock debates, there is no indication that the Reagan campaign utilized the draft material in question.
 - f) All of the Reagan campaign officials who either possessed or were aware of the materials denied any knowledge of how they were originally obtained and any belief that the materials were stolen. In fact, there is no evidence that the material was stolen.
 - g) No evidence was found of any plan or conspiracy by Reagan election officials to obtain the Carter briefing materials or any other confidential, internal Carter documents.
2. Other Documents: In the course of the investigation, the FBI reviewed thousands of documents from the files of the Reagan campaign and its officials. Several of these documents have been identified as internal documents of the Carter White House or the Carter campaign. In the case of each internal

Carter document found in Reagan campaign files, the FBI sought to ascertain by what means the documents were obtained. In no instance was there any evidence of theft or criminal misappropriation. In most instances the material in question had been widely disseminated to the press or others and were obtained through wholly proper channels. In some cases, it was impossible to determine how documents were obtained due to the professed lack of memory or knowledge on the part of those in possession of the documents. Regarding the internal Carter documents, there is no evidence that classified materials were improperly disseminated or that any criminal means were used to obtain any of the documents.

B. Analysis - In analyzing the investigative results the applicability of several criminal statutes have been considered. 18 U.S.C. § 641 prohibits theft of government property. There is no evidence of theft and the great weight of the evidence indicates that the briefing material was not "government property" as defined by the statute. Other Federal, District of Columbia and State theft statutes are likewise not implicated because of the absence of any evidence that documents were obtained by theft as opposed to other, lawful means.

Statutes prohibiting improper disclosure of classified information -- such as 18 U.S.C. §§ 793, 794, 798 or 50 U.S.C. § 783 -- are not implicated because there is no evidence that anyone disclosed classified information.

Federal Election Campaign Act statutes such as 2 U.S.C. § 441(h), which prohibits the "misrepresentation of campaign authority," is not applicable because there is no evidence that an agent for one campaign was in any way directed to work in the other campaign for improper purposes.

There are insufficient grounds to assume that any individual engaged in willful falsification or the obstruction of the investigation. No independent evidence indicates a knowing falsehood. Any seeming inconsistencies could be explained by differences in recollection or interpretation.

III. APPLICABILITY OF THE ETHICS IN GOVERNMENT ACT

Under Chapter 39 of the Ethics in Government Act, 28 U.S.C. § 591, the Attorney General must conduct a statutory preliminary investigation upon receipt of specific information of a federal crime by an official covered by the act. In this case, although several officials covered by the act either had knowledge of or possessed the draft briefing papers in question, there is no specific, credible information of a federal crime having been committed by any of them or by non-covered officials.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHN F. BANZHAF, III, et al.,
Plaintiffs,

v.

WILLIAM F. SMITH, et al.,
Defendants.

Civil Action No. 83-3161

FILED

FEB 29 1984

OPINION

JAMES F. DAVEY, Clerk

This is an action under the Ethics in Government Act (Ethics Act), 28 U.S.C. §§ 591 et seq., to require the Attorney General to appoint an Independent Counsel^{1/} to investigate whether criminal offenses were committed by high-level officials in the course of an alleged transmittal of certain briefing materials from the Carter White House to the headquarters of the then candidate for President Ronald Reagan. Presently before the Court is defendants' motion to dismiss,^{2/} in which it is claimed that

^{1/} Under prior law, that official was known as a Special Prosecutor.

^{2/} The motion was filed on January 3, 1984; plaintiffs filed their opposition on January 26, 1984; a reply was received February 15, 1984; and a hearing was held on the motion February 22, 1984.

plaintiffs lack standing to bring the action^{3/} and that they have failed to submit information that is sufficiently specific and credible to cause an investigation to be conducted under the statute. For a better comprehension of the issues and the underlying facts, it is convenient to discuss these defenses in inverse order.

I

The Ethics Act was enacted in the aftermath of Watergate to establish procedures for the avoidance of the actual or perceived conflicts of interest which may arise when the Attorney General investigates alleged criminal wrongdoing by other high government officials. The Congress believed that an independent prosecutor, who would be free from the divided loyalties which may afflict officials of the Justice Department in these circumstances, would be more likely to be guided by politically neutral principles of fairness and justice.^{4/}

^{3/} A related claim is that Congress did not intend to create a private judicial remedy for the Attorney General's failure to comply with the Act.

^{4/} S. Rep. No. 170, 95th Cong., 1st Sess. 5-6 (1977), reprinted in 1978 U.S. Code Cong. & Ad. News 4216, 4221-22 (hereinafter S. Rep. 170).

To these ends, the statute provides in section 592(a) that if the Attorney General receives specific and credible evidence^{5/} that a high-level federal official^{6/} has committed a federal criminal offense, he "shall" conduct a preliminary investigation. In addition to its mandatory nature, the investigation required by the Act differs from an investigation conducted by the Department of Justice under normal circumstances in the following principal respects.

First, an Ethics Act investigation, which may last not more than ninety days,^{7/} is "preliminary," that is, it is not and it may not become a full-fledged criminal investigation. Its purposes are only to weed out frivolous or groundless allegations and to determine whether the case warrants further investigation.^{8/} Consequently, as soon as the Attorney General determines

^{5/} Although the statute provides that it is the responsibility of the Attorney General to determine whether grounds to investigate exist, it specifies that, in making this decision, he "shall" consider the degree of specificity of the information received, and the credibility of the source of the information. Section 592(a)(1). The court in Dellums v. Smith, 573 F. Supp. 1489, 1499 (N.D. Cal. 1983), concluded that in view of these provisions, the Attorney General's task is ministerial.

^{6/} That category includes the President, Vice President, members of the Cabinet, high-level Justice Department officials, the Director and the Deputy Director of the Central Intelligence Agency, the Commissioner of Internal Revenue, and various national and Presidential campaign officials. Section 591(b).

^{7/} Section 592(b)(2). Under section 593(f), "[u]pon a showing of good cause by the Attorney General," the special division of the Court of Appeals (see infra) may "grant a single extension . . . for a period not to exceed sixty days."

^{8/} S. Rep. 170 at 54, 1978 U.S. Code Cong. & Ad. News at 4270.

that the allegations are serious or have a potential chance of substantiation, his role is over: the case must be referred to a special judicial body (see infra) for the appointment of an Independent Counsel.^{9/}

Second, to ensure that the Attorney General does not conduct a full criminal investigation and thereby usurp the authority of the Independent Counsel, the Act prohibits the Attorney General from convening grand juries, plea bargaining, granting immunity, and issuing subpoenas.^{10/}

Third, if at the conclusion of an Ethics Act investigation, the Attorney General determines that further investigation or prosecution is not warranted, he must submit a memorandum containing both a summary of the information received and a summary of the results of the investigation to a special division of the U.S. Court of Appeals^{11/} which has the authority to appoint an Independent Counsel to take over any further investigation and

^{9/} S. Rep. 170, 1978 U.S. Code Cong. & Ad. News at 4270-71. See also, section 597 ("whenever a matter is in the prosecutorial jurisdiction of a [sic] independent counsel . . . the Department of Justice . . . shall suspend all investigations and proceedings. . .").

^{10/} Section 592(a)(2).

^{11/} Section 592(b)(2).

prosecution.^{12/} The summary of information must be sufficiently detailed to apprise the special judicial division of the essence of the allegations and the information received by the Department of Justice; the summary of the results must be sufficiently comprehensive to enable the special judicial division to determine what efforts the Department made to determine the truth of the allegations and what, if anything, it did to uncover additional evidence.^{13/} When conducting investigations not covered by the Ethics Act, the Attorney General is, of course, free to pursue his own course and reach his own conclusions without accounting to anyone.

The complaint in this case alleges, *inter alia*, that, according to information available on the public record, hundreds of pages of documents from the White House and the Executive Offices were removed or copied and then turned over to the 1980 Reagan campaign organization; that four of President Reagan's present or former aides^{14/} have admitted to possessing or seeing

^{12/} If, upon completion of the preliminary investigation, the Attorney General finds that there are no reasonable grounds to believe that further investigation or prosecution is warranted, he must so notify a special division of the Court of Appeals; if he finds that the matter warrants further investigation or prosecution (or if he fails to act within ninety days) he must apply to that division for the appointment of an Independent Counsel. Section 592(b)(1), (c)(1).

^{13/} S. Rep. 170 at 56, 1978 U.S. Code Cong. & Ad. News at 4272.

^{14/} James A. Baker, III, White House chief of staff; David Stockman, Director of the Office of Management and Budget; David Gergen, White House Communications Director; and Richard Allen, former National Security Advisor.

such materials; that at least some of these aides^{15/} knew that the documents had been taken from the Carter White House; that an operation existed to collect inside information on the Carter campaign through means of a "mole" and otherwise; and that several high Administration officials^{16/} appear to have made contradictory statements concerning these papers. Plaintiffs claim that the individuals involved in these activities may have violated one or more federal criminal laws.^{17/}

The government argues that this information is not specific or credible, and that plaintiffs have for that reason failed to state a claim upon which relief may be granted. Indeed, the government goes so far as to assert, more pointedly, that the term "mole" has no "criminal overtones"; that there are likewise no such "overtones" to an information gathering apparatus employed by a Presidential campaign which uses former agents of the FBI and the CIA; and that the statement of Budget Director Stockman -- that briefing books were "filched" -- may have had a

^{15/} E.g., Baker and Stockman.

^{16/} Plaintiffs allege that the following persons made such contradictory statements: Baker and William Casey, Director of the Central Intelligence Agency; Allen and Jerry D. Jennings, Director of the White House Office of Science and Technology; and Baker and Gergen.

^{17/} Among the laws mentioned in the complaint are those dealing with conspiracy (section 371 of title 18); interference with nomination or election of candidate for office of President (section 595); theft of records of the United States (section 641, 654, 661, 2112); disclosure of classified or confidential information (sections 798, 1905); and removal of records (section 2071).

connotation other than theft. Memorandum of Points and Authorities at 19-21.

These contentions entirely lack merit. To be sure, none of the information summarized above is sufficient, without more, to prove the guilt of any particular individual beyond a reasonable doubt; it may not even be sufficient to support the indictment of any particular individual by a grand jury. But that is not the standard that Congress had in mind when it directed that an Ethics Act investigation be conducted whenever information of high-level involvement in criminal conduct is received. In fact, the intention of the Congress is the precise opposite. The Senate Report states that

as soon as there is any indication whatsoever that the allegations involving a high level official may be serious or have any potential chance of substantiation, a special prosecutor should be appointed to take over the investigation.

(emphasis added). S. Rep. 170 at 54, 1978 U.S. Code Cong. & Ad. News at 4270.

There can be no question that the admissions, contradictions, and other information suggestive of criminal activity would normally generate at least a preliminary investigation to determine whether those who were seemingly implicated did, in

fact, violate the law.^{18/} If any proof of that proposition were needed, it is supplied by the Department of Justice itself. By the government's own admission, the Department has conducted "a thorough and searching investigation of the transmittal of the briefing papers" in the course of which "over 200 interviews have been conducted and numerous criminal statutes have been considered, including those cited by plaintiffs." Memorandum of Points and Authorities at 21-22.^{19/}

It is difficult to understand on what basis the government can conduct that kind of an investigation and yet assert at the same time that when plaintiffs furnished evidence similar to that which generated the Department's inquiry, they failed to provide information that is sufficiently specific and credible to cause

^{18/} It strains credulity that a prosecutor who, under any other circumstances, received information that a highly-placed public official had admitted that classified or other significant documents had been "filched" from the White House, would simply sit back on the assumption that this filching had a "connotation other than theft." Any prosecutor, careful or careless, eager or lethargic, would on the receipt of such information conduct at least a preliminary investigation. The Attorney General's authority under the Ethics Act may be broad; it is not unlimited. See 5 U.S.C. § 706(2)(A).

^{19/} The media reported several days after the hearing on the motion to dismiss that the Department had concluded its eight-month investigation and had issued a three-page report stating that no evidence had been found of any plan or conspiracy by Reagan officials to obtain Carter briefing materials or any other confidential, internal Carter documents. See Washington Post, February 24, 1984, p. 1, col. 6; The New York Times, February 24, 1984, p. 1, col. 1.

an Ethics Act investigation to be conducted.^{20/} The two types of investigations would obviously be triggered by evidence of the same or similar character.^{21/} The difference between them lies not in the quantity or quality of the evidence required for their initiation but in the fact that at the conclusion of one the Attorney General makes his own decision as to whether or not he should prosecute, while at the conclusion of the other he must account to the special division of the Court of Appeals.

For the reasons stated, the Court finds on the basis of the present record^{22/} that plaintiffs have submitted information of sufficient specificity and credibility to require the Attorney

20/ Neither the credibility nor the specificity of the information supplied by plaintiffs is diminished by the fact that plaintiffs did not discover it through their own confidential or other "live" sources but compiled it from published newspaper and magazine reports. While publication in the media does not necessarily endow information with special attributes of credibility, it is not deprived of those attributes merely because there has been such publication. The Watergate episode teaches that the media sometimes have the independence and resources necessary for the preliminary collection of facts which may later be used in a more structured form by legislative, judicial, or executive officials.

21/ An Ethics Act investigation would be more limited in two respects. First, it is concerned only with wrongdoing by a special class -- high-ranking executive officials. In view of the array of officials named in the complaint in this case, it could not seriously be maintained that, while evidence of wrongdoing sufficient to cause a criminal investigation is present, it is not sufficient to cause an investigation of an individual subject to the Ethics Act. Second, the Ethics Act investigation is limited solely to the question whether the submitted information is sufficient to constitute grounds to investigate that a covered official committed a violation of any Federal criminal law. Section 592(a)(1).

22/ It may be that the defendants' answer to the complaint will contradict plaintiffs' factual allegations.

General to conduct a preliminary investigation provided for under the Ethics Act.^{23/} Accordingly, defendants' contention that the complaint fails to state a claim upon which relief may be granted is rejected.

II

The government argues that Congress did not intend to confer any private rights when it enacted the Ethics Act and that plaintiffs therefore lack standing to maintain this lawsuit.

Plaintiffs advance two theories in support of their claimed standing: (1) that they have standing as citizens,^{24/} as attorneys and officers of the court,^{25/} and as public interest lawyers

^{23/} The Justice Department's own investigation clearly does not comply with the requirements of the Act, if for no other reason than that the Attorney General failed to file a report with the special division of the Court of Appeals. Moreover, as indicated *supra*, the Attorney General only has authority to investigate the allegations of criminal wrongdoing with a view toward making a report to that division concerning the appointment of an independent prosecutor. Accordingly, the purportedly definitive conclusions drawn by the Department of Justice on the basis of its own investigation, lack validity under the statute. Of course, in the event that an Independent Counsel is ultimately appointed, that official would decide on the extent to which he wished to rely on the facts addressed in the Department of Justice investigation, what additional facts should be developed, and what conclusions should be drawn from all the evidence.

^{24/} On a related basis, plaintiffs also claim standing as voters, taxpayers, and campaign contributors.

^{25/} It is plaintiffs' theory that as attorneys they have a special interest in the impartial administration of justice.

whose prior legal actions helped to establish the Ethics Act,^{26/} and (2) that they have standing because they presented sufficiently specific and credible information to the Attorney General to trigger the procedural mechanism leading to the appointment of an independent counsel under the Act. It is not necessary to explore the first theory because plaintiffs have standing under the second.

To establish standing, plaintiffs must show that they suffered "injury-in-fact," that is, that they sustained some actual or threatened injury as a result of the allegedly illegal conduct of the defendants (see, e.g., Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 472 (1982); Gladstone Realtors v. Village of Bellwood, 441 U.S. 1, 99 (1979); and Simon v. Eastern Kentucky Welfare Rights Organization, 426 U.S. 26 (1976)) and that the interest they seek to protect is arguably within the zone of interests to be protected or regulated by the statute. Association of Data Processing Service Organizations, Inc. v. Camp, 397 U.S. 150 (1970).

The government acknowledges that, as a general rule, the deprivation of procedural rights granted by a statute constitutes sufficient injury to confer standing. Reply Brief at 3. See also, Schlesinger v. Reservists to Stop the War, 418 U.S. 208,

^{26/} Plaintiff John Banzhaf asserts that, as a public interest lawyer and law professor, he was perhaps the first person to raise the issue of the need for an impartial outside prosecutor to investigate the allegations against then Vice President Agnew and then President Nixon, and that these efforts and the events that followed led to the enactment of the Ethics Act.

224 n.14 (1974). Accordingly, if Congress created a legal right to a preliminary investigation for persons who supply the required information, then the requisite interest for standing is found in the invasion of that right; i.e., the Attorney General's refusal to conduct that investigation as required by the Act. Thus, plaintiffs have standing^{27/} if the Ethics Act confers rights to persons who present to the Attorney General specific and credible information of high-level law violations.

That issue was considered and answered in the affirmative in the only two cases which have thus far arisen under the Act -- Nathan v. Attorney General, 557 F. Supp. 1186 (D.D.C. 1983) (Gesell, J.)^{28/} and Dellums v. Smith, 573 F. Supp. 1489 (N.D. Cal. 1983) (Weigel, J.). Nathan involved a request by the victims of a terrorist attack in Greensboro, North Carolina for an investigation of charges that high officials of the government had authorized or negligently permitted various violations of civil rights and that they had conspired to conceal their involvement. In Dellums, plaintiffs charged that, by supporting paramilitary operations against Nicaragua, high federal officials

^{27/} Because the right to a preliminary investigation is a protected procedural right, the zone of interests prong of standing is supported here by considerations similar to those involved in the injury prong.

^{28/} See also, Nathan v. United States, 563 F. Supp. 815 (D.D.C. 1983). An appeal is pending, and the Court is advised that briefs have been filed and that the Court of Appeals has scheduled oral argument.

violated the Neutrality Act (18 U.S.C. § 960) and related statutes.

In response to arguments similar to those made in this case, Judge Gesell found the statute's limited restriction on court review^{29/} to be suggestive of an intent by the Congress not to foreclose such review in other appropriate circumstances, *i.e.*, where the Attorney General refuses to conduct the preliminary investigation mandated by the statute. He further found that, if the Act is to be enforceable at all, it must be through those who supply specific information, and that the plaintiffs, as victims of the alleged crime, had, for standing purposes, far more than a generalized grievance. See 557 F. Supp. at 1188-89. Based upon these conclusions, the court held that the plaintiffs had standing, and it denied the government's motion to dismiss.

Similarly, in Dellums, Judge Weigel concluded that Congress gave those persons who supplied the required information a procedural right to a preliminary investigation, and that the scheme of the Act -- to remove certain actions and determinations from the political process into the public realm -- supported a decision in favor of standing by the plaintiffs. That court, too, denied a government motion to dismiss.^{30/}

^{29/} The only express limitation on judicial review is contained in section 592(f). That section provides that the Attorney General's application to the special judicial division for the application of an Independent Counsel "shall not be reviewable in any court."

^{30/} The court has also denied a motion for reconsideration.

This Court is in agreement with the Nathan and Dellums conclusions. Where Congress has provided that, upon request of a citizen, the government has a duty to act and the government then fails to act, the person making the request has standing to enforce his right to government action^{31/} by a lawsuit in federal court. This principle has been applied in such diverse areas as the Freedom of Information Act, the National Environmental Policy Act, and the False Claims Act. See, e.g., City of Davis v. Coleman, 521 F.2d 661, 672 (9th Cir. 1975); Nixon v. Sampson, 389 F. Supp. 107, 121-22 (D.D.C. 1975); see also, 31 U.S.C. § 231-

35. As the court in Dellums correctly noted,

[t]he Ethics in Government Act . . . envisions that information supplied by persons pursuant to its provisions will be forwarded and considered by appropriate decisionmakers named in the statute . . . [and] that plaintiffs have standing because Congress conferred upon them a right to a judicial determination.

573 F. Supp. at 1095-96.

This conclusion is particularly compelling in the context of this statute when the alternative is considered,^{32/} for if the

31/ The underlying interest or injury need not be an economic one. Data Processing Service v. Camp, 397 U.S. 150, 154 (1970); Sierra Club v. Morton, 405 U.S. 727, 734 (1972).

32/ To be sure, the Court could not find that a particular plaintiff has standing merely because otherwise no one would have standing (Schlesinger v. Reservists, *supra*, 418 U.S. at 227) since some matters may have deliberately been left by the Congress to the political process. But that reasoning can hardly be applied to a statute, such as this one, which was intended to remove certain decisions from that process.

government is right, no one has standing to enforce the Ethics Act.^{33/}

This contention is supported neither by the statutory language^{34/} nor by the legislative purpose. The Ethics Act was enacted to prevent a recurrence of the Watergate abuses perpetrated by, among other individuals, the then Attorney General. It accomplishes that objective by requiring the Attorney General, upon the receipt of information that certain high officials violated criminal laws, promptly to undertake an investigation and to report thereon to a special judicial body. The obvious purpose of this procedure is to provide some check on the Attorney General who is a political appointee of the President and who, as a member of an elected Administration, is placed in a difficult situation when called upon to investigate allegations against Administration officials.^{35/}

33/ See, e.g., Memorandum of Points and Authorities at 15-17. Upon inquiry, counsel informed the Court that in the government's view, even former President Carter, the owner or custodian of the allegedly stolen documents, would not have standing to sue.

34/ The decision on the conduct of a preliminary investigation is not discretionary under the statute. Rather, the Ethics Act requires the Attorney General to conduct such an investigation whenever he is presented with specific and credible information that a covered official may have committed a crime. See note 5 supra.

35/ Not only is there a potential for favoritism but there is also a danger that, to avoid the risk of a loss of public confidence, the Attorney General may bend over backwards to make harsh and unfair prosecutorial decisions against other public officials. S. Rep. No. 496, 97th Cong., 2d Sess., reprinted in 1982 U.S. Code Cong. & Ad. News at 3540-41.

Yet, if the government's argument is correct, that entire process can be short-circuited by the simple device of a refusal of the Attorney General (either on his own volition or on instructions from White House officials who may be the targets of the investigation) to initiate the required investigation. For if no one has standing to sue, there will be no accountability: no one could require the Attorney General to conduct a preliminary investigation in accordance with the Act, to report to the special judicial division, or to apply in appropriate cases for the appointment of Independent Counsel.^{36/}

Stripped of an enforcement mechanism, the statute would be nothing more than a hortatory statement from the Congress to the

^{36/} Congressional oversight cannot accomplish these objectives. Section 595(e) provides that the members of the Judiciary Committees of the House and the Senate may request that the Attorney General apply for the appointment of an Independent Counsel. However, if the government is correct in its arguments in this case, the Committees would have no greater standing than the plaintiffs here. Indeed, it is doubtful that the Congress would be able even to enforce the statutory requirement that the Attorney General supply it with a written notification of actions taken pursuant to the congressional request and an explanation in the event no action is taken. See Immigration and Naturalization Service v. Chadha, 103 S.Ct. 2764 (1983).

The general power of congressional committees to investigate -- such as that of a subcommittee of the House Committee on Post Office and Civil Service which is presently conducting an investigation into the subject of the removal of the Carter papers -- is not likely to be more effective. Legislative committees have no power to prosecute, and it is problematical, in any event, whether they will receive the requisite cooperation from the Executive Branch.

As for the special division of the Court of Appeals, it has ruled that it lacks jurisdiction at the present stage of the proceedings. Order 82-3, U.S. Court of Appeals for the District of Columbia, Special Prosecutors Division, September 13, 1982.

Executive Branch.^{37/} That is not the way in which statutes, unlike resolutions or informal requests, are normally viewed. In any event, absent a direction to that effect in the Act or the legislative history, the Court is not prepared to adopt so defeatist a view of a law which had its origins in the dereliction of duty of the highest officers of the Republic and which was intended to prevent their recurrence.^{38/}

37/ The government argues that, surely, the Attorney General may be trusted to carry out the law. As a general rule that is undoubtedly true, but as the Congress discovered to its dismay during the Watergate days, not every attorney general can, under all circumstances, be counted upon to investigate vigorously and impartially. Moreover, the Ethics Act was designed to avoid both actual and perceived conflicts of interest. Where a potential conflict of interest or loyalties is present, some accountability is necessary. That the possibility of neglect by the Department of Justice of its statutory duties is not idle and unwarranted speculation appears to be affirmed, on the present record, by the events surrounding this controversy. See note 46 *infra*.

38/ Actually, to the extent that the will of the Congress may be discerned from the legislative materials, Congress wanted this law to have actual force and to be more than a "pious statement of pure political import." *Nathan v. Attorney General*, *supra*, 557 F. Supp. at 1190. Because attorneys general had been reluctant or unwilling to appoint special prosecutors where this appeared to be appropriate because of inherent conflicts of interest, Congress found it necessary to set forth those circumstances in which the Attorney General must conduct a preliminary investigation, report to the special judicial division, and, if the allegations warranted further investigation, apply for the appointment of an independent counsel. S. Rep. 170, 1978 U.S. Code Cong. & Ad. News at 4227. When Congress amended the Act in 1982, it reconsidered the need for the special prosecutor provisions and reaffirmed its earlier finding that "[i]t was not sufficient to rely on the President or the Attorney General to appoint a temporary special prosecutor." S. Rep. No. 97-496, reprinted in 1982 U.S. Code Cong. & Ad. News at 3540. See also, the general discussions regarding legislative history in *Nathan* and *Dellums*, *supra*.

The government finally contends that, even if Nathan and Dellums were correctly decided, and that in these cases the plaintiffs did have standing, the plaintiffs in this case do not. In that view, if plaintiffs, who are no more than citizens and lawyers, have standing, the floodgates would be open.

That argument misconceives what is involved. As indicated above, plaintiffs' standing stems not from their citizenship or their membership in the Bar; it stems from their submission to the Attorney General of information that is plainly adequate under the statute to trigger a preliminary investigation.^{39/} The question of any injury to plaintiffs apart from the Attorney General's failure to conduct a preliminary investigation in response to their request is therefore irrelevant.

Insofar as the "floodgates" argument is concerned, the requirement of specificity and credibility establishes an inherent limitation on the use of the statute and the burdens on the Attorney General. It will presumably not be a frequent occurrence that someone could or would submit a petition to the Department of Justice containing information that specifically

^{39/} It is not necessary to decide on the proper scope of judicial review if the issue of the specificity and credibility of the information was, unlike here, a close one.

and credibly charged one or more high-level officials with committing a federal criminal offense.^{40/} But on those rare occasions when such information is submitted, the Attorney General has the duty under the law to act.

To the extent that a distinction may be made between this case and Nathan and Dellums, the instant case even more clearly justifies a finding that the plaintiffs have standing to enforce the statute. Unlike the issue of American involvement in Nicaragua or the alleged violations of the civil rights laws in an alleged assault by members of the Ku Klux Klan on members of the Communist Party in North Carolina, this case involves the very evil that prompted the adoption of the Ethics Act -- alleged political chicanery at the highest levels of government in the context of a political campaign.^{41/} To hold that in that kind of situation, the Attorney General may refuse even to conduct the preliminary investigation required by that statute, either by making the patently erroneous claim that he had received no specific and credible information concerning law violations, or by arguing successfully that no one has standing to challenge his failure to act, would vitiate that which Congress had sought to achieve in the Ethics Act.

^{40/} Since the Ethics Act was passed in 1978, only three private enforcement actions have been filed in federal court.

^{41/} The involvement of high-level officials is also more apparent here than in Nathan (compare 557 F. Supp. at 1188) and this case, unlike Dellums, does not involve foreign policy questions (compare 573 F. Supp. at 1502-03).

It may well be that no crime was committed by anyone in connection with the transfer of documents from the White House to the campaign headquarters of the opposing candidate.^{42/} After all, not every allegation of wrongdoing or even every proven incident of wrongdoing is another Watergate. Yet there may be here at least one parallel with that unhappy episode.

^{42/} The Court emphasizes that all that is ultimately involved in this lawsuit is a procedural question: who shall investigate charges and who shall decide whether to prosecute -- the Attorney General or an Independent Counsel? The complaint does not allege, and this Court passes no judgment as to whether anyone is guilty of wrongdoing, nor does it have jurisdiction to decide that question.

The Court's decision is also limited in that there will not be, in any event, an interference with the prosecutorial discretion of the Attorney General. The duty to conduct a preliminary investigation is clearly distinguishable from the government's discretionary power to prosecute. First, Congress imposed a mandatory duty to conduct a preliminary investigation under the circumstances alleged to exist in this case, and to the extent that such an investigation would normally be viewed as an exercise of prosecutorial discretion, Congress intended to depart from the general rule by making it mandatory in certain limited circumstances. Second, the preliminary investigation and the decision to prosecute are two distinct steps in the statutory process. The Ethics Act does not disturb the government's discretion in the latter instance. See *Dellums v. Smith*, *supra*, 573 F. Supp. at 1499-1500. Third, there will be no interference by any court with either an investigation or a prosecution once it has begun; the statute mandates merely that these functions be carried out by a prosecutor other than the Attorney General.

It may be noted that the government acknowledged during oral argument that it makes no claim that the statute is unconstitutional.

The Ethics Act plainly contemplates that when the Attorney General receives specific and credible information of law violations by high-level officials, he shall do no more than to conduct a limited investigation with a view solely to determining whether an Independent Counsel should be appointed. Once he has done that, he must stop. He may not conduct his own full-fledged investigation and draw his own conclusions from that investigation. The entire point of the Ethics Act is that, when there are even preliminary indications that high-level officials violated criminal laws, the decision on how to proceed further must be left to independent authority.^{43/}

According to the allegations of the complaint, ample grounds exist for the conduct of an investigation leading to a determination whether an Independent Counsel ought to be appointed. The only substantive basis^{44/} on which the Department of Justice has defended or on which it could defend^{45/} its failure to conduct a preliminary investigation under the Act -- that the evidence of wrongdoing is not sufficiently specific or credible to warrant

43/ This is on the common sense assumption that the Independent Counsel who has no political and other loyalties might view collected evidence differently than would an attorney general faced with allegations against his colleagues. In addition, the Independent Counsel might require the development of facts which would not be pursued under the direction of the Department of Justice.

44/ In addition to the technical defense that no one has standing to question the Attorney General's decision.

45/ See S. Rep. No. 97-496 at 11-12, reprinted in 1982 U.S. Code Cong. & Ad. News at 3537-38, 3547. But see note 22 *supra*.

even a preliminary inquiry -- is without any reasonable basis. In short, the Department of Justice appears to have simply ignored the requirements of the Ethics Act.^{46/}

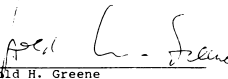
Thus, the procedural mechanism adopted in the aftermath of Watergate for an independent, dispassionate inquiry into possible wrongdoing has been frustrated. If the Department's decision stands, the public will never know whether the special division of the Court of Appeals would have been satisfied with the scope and the results of the inquiry and whether an Independent Counsel would or would not have found evidence of wrongdoing. The Attorney General fiat would effectively end any possibility of an independent decision. This

46/ Even if no one had standing, the Attorney General would still have his own, independent obligation under the Act. Upon coming into possession, from any source, of information concerning law violations by high-level officials, he has the responsibility under the statute to conduct a preliminary investigation and to submit the results to the special judicial division. If that had been done when the Department learned of possible law violations, and if at that juncture the special judicial division had been satisfied that the evidence was not sufficiently specific or credible for the appointment of an Independent Counsel, the statutory requirements would have been satisfied. On the other hand, if at the conclusion of the preliminary investigation unexplored evidence of law violations remained, further investigative efforts would have been required to be conducted under the aegis of an Independent Counsel. The third hypothesis -- that there was insufficient evidence for an investigation -- is conclusively contradicted by the fact that the Department saw a valid basis for conducting its own eight-month inquiry. The course of action evidently adopted by the Department -- to merge the preliminary investigation with a full-fledged, final investigation -- failed entirely to take account of the statutory mandate that the two inquiries are to be directed by two different prosecutorial entities.

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result comports neither with the language nor with the purpose of the Ethics Act.

The motion to dismiss is denied. The defendants shall file their answer to the complaint within ten days.



Harold H. Greene
United States District Judge

Dated: February 29, 1984

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHN F. BANZHAF, III, et al.,)
)
Plaintiffs,)
)
v.)
)
WILLIAM F. SMITH, et al.,)
)
Defendants.)

Civil Action No. 83-3161

FILED

FEB 29 1984


ORDER

JAMES F. DAVEY, Clerk

For the reasons stated in the Opinion filed this date, it is
this 29th day of February, 1984,

ORDERED That defendants' motion to dismiss be and it is
hereby denied, and it is further

ORDERED That defendants shall have ten days from the date of
this order to answer the complaint.



Harold H. Greene
United States District Judge

2171

TO: The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service

Attn: John Fitzgerald

FROM: Frederick W. Ford, Esq.

SUBJECT: Application of criminal liability under 18 U.S.C.
section 641 to the photocopying of government documents
and subsequent delivery of the copied documents to
persons not authorized to possess them for the purpose
of furthering a private interest or gaining a political
advantage.

This memorandum has been prepared in response to your request for an analysis of the applicability of 18 U.S.C. section 641 to the alleged taking and photocopying of briefing materials prepared for use by President Carter in the 1980 debates and the subsequent delivery to, and receipt of those materials by, officials in the Reagan presidential election campaign. The memorandum prepared by the Congressional Research Service (9/22/83) addresses other statutory provisions arguably applicable to the briefing papers affair and will not be re-examined here, nor will this memo rediscuss the intent, jurisdiction, or definitional analysis of section 641 in the CRS memo, except as they relate to the narrow question examined here.

Since section 641 has the broadest potential application to the facts as currently known, it is the purpose of this memorandum to discuss it in detail with special emphasis on your concerns regarding the scope of section 641 and whether there is, or should be, a distinction between a government employee photocopying a government document and releasing it to the public

through the media or otherwise (i.e. a whistleblower) and a government employee photocopying a government document for his/her private use or the private use of others in order to gain a political advantage, or to influence the course of an election campaign or the outcome of an election.

This memorandum will also consider the responsibility of federal employees in their stewardship of government property or information and how the possible violation of federal regulations concerning standards of conduct affects the application of criminal liability under section 641.

A. INTRODUCTION

Title 18, United States Code, Section 641 provides:

S. 641 Public money, property or records

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted --

Shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; but if the value of such property does not exceed the sum of \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

A review of the criminal cases which in some manner have applied section 641 to a situation involving the theft or conversion of government documents or information reveals a difference of opinion over its application depending upon whether the government was seeking a conviction for conversion or theft of the "information" contained in government documents or whether the government was seeking conviction for the theft or conversion of the physical "documents" themselves.

These two rationales, which I shall call the "Information Rationale" and the "Document Rationale", have created somewhat different treatments by the courts and are especially important to understanding the First Amendment (i.e. "whistleblower") ramifications of the application of section 641 to the conversion of government documents.

B. The Document Rationale

The "document rationale" is premised on the theory that the physical paper and ink making up the government documents themselves constitutes a "record" under section 641, and thus the theft, conversion, or reproduction of those "records" violates the statute.

The first case to apply section 641 on the "document rationale" theory was United States v. DiGilio, 538 F.2d 972 (3rd Cir. 1976). The defendants in that case had procured the unauthorized copying of FBI documents relating to a criminal investigation of DiGilio. The unauthorized copies were made by a

clerk-typist in the Newark, New Jersey FBI office, during her working hours using government paper and copying equipment. She returned the originals to their proper files and then delivered the copies to her fiancé, who through an intermediary passed them on to Digilio. The defendants were charged with converting government "records", i.e. "photocopies of official FBI files".

The defendants argued that the facts did not fall within section 641 since the government was not deprived of the use of the information in the records. They contended that "photocopies" of government records are not themselves "records" within the meaning of section 641 and that the unauthorized transmission of information is not proscribed by section 641. The government argued that the misappropriation of information falls within section 641's sanctions.

Avoiding deciding whether section 641 applies to theft of information, the court adopted the "Document Rationale" to find the defendants guilty:

It is not necessary to accept the government's thesis in its entirety to hold that in this case a section 641 violation was established. This case does not involve memorization of information contained in government records, or even copying by thieves by means of their own equipment. Irene Klimansky (the clerk) availed herself of several government resources in copying Digilio's files, namely, government time, government equipment and government supplies. That she was not specifically authorized to make these copies does not alter their character as records of the government. A duplicate copy is a record for purposes of the statute, and duplicate copies belonging to the government were stolen. (citations omitted). 538 P.2d at 977. (Emphasis added.)

Thus the Document Rationale applies to the theft or

conversion of photocopies of government documents where those photocopies are made using government equipment or supplies or on government time by a government employee.

In a similar manner, and also to avoid the theft of information issue, the Court in United States v. Hubbard, 474 F.Supp. 64^{4/25/79} (D.C. D.C. 1979) (The Scientology Case) applied the document rationale to deny the defendants Motion to Dismiss. The Hubbard Court did, however, discuss the First Amendment problems inherent in applying section 641 to the conversion of government information:

Moreover, treating information as a thing of value under section 641 would raise the strong possibility of harm to important first amendment values. See Nimmer, National Security Secrets v. Free Speech: The Issues Left Undecided in the Ellsberg Case, 26 Stan.L.Rev. 311, 322-24 (1973). First, there is clear precedent that the copying of any document does not constitute conversion. See Local Trademarks, Inc. v. Price, 170 F.2nd 715, 718-19 (5th Cir. 1948); Pickford Corp. v. DeLuxe Laboratories, Inc. 169 F.Supp. 118, 120 (S.D.Cal. 1958). Second, whereas there are penalties for copyright violations, the Congress has explicitly provided that there is no copyright on government documents. 17 U.S.C. Section 105. Moreover, if there were a crime for converting unspecified government information, it would not be limited to photocopying. If a person came across certain completely unclassified information during his employment within the federal government, and discussed it outside the scope of his employment, an argument could be made that he had converted government information in violation of section 641. Of course, such an interpretation would be impermissible. See New York Times v. Sullivan, 376 U.S. 254, 269, 84 S.Ct. 710, 11 L.Ed.2d 686 (1964). The free exchange of ideas, especially ideas in possession of the government, is at the very heart of our first amendment guarantees. See Whitney v. California, 274 U.S. 357, 377, 47 S.Ct. 641, 71 L.Ed. 1095 (1927) (Brandeis, J., concurring). Accordingly, the government will not be permitted to rely on any alleged conversion of government information for a violation of section 641 in this case. However, the government may proceed on the theory that copies made from government resources are owned by the government. Accordingly, the defendant's motion to dismiss

all charges of section 641 violations is denied. (Emphasis added.) 474 F.Supp. at 80.

In Hubbard, as in DiGilio, it was alleged that the photocopies obtained by the defendants were made using government equipment and supplies. Thus, in order to apply the document rationale to the Carter briefing papers affair, it would have to be determined where, by whom, and on what equipment the photocopies of the briefing papers were made. If the documents were taken out of the White House, photocopied by private resources, and the originals returned to the files, a section 641 charge could not be supported by the Document Rationale. In such a case, any section 641 violation would have to be brought under the "Information Rationale".

C. The "Information Rationale"

The "Information Rationale" had its first expression in a document theft case in United States v. Battone, 365 F.2d 389 (2nd Cir. 1966); cert denied 385 U.S. 974 (1966). The case involved the unlawful transportation in interstate and foreign commerce of papers describing the manufacturing process for certain drugs in the violation of 18 U.S.C. Section 2314. The evidence revealed that the defendants removed the documents from the drug manufacturing company's files, took them to one of the defendants homes, made photocopies, microfilms or notes, then returned the stolen originals to the files. Only the copies and notes were transported in interstate or foreign commerce.

10:05 am EDT THE PRESIDENT ARRIVES JOHN F. KENNEDY INTERNATIONAL AIRPORT,
PAN AMERICAN AIRWAYS RAMP, NEW YORK, NEW YORK, BOARDS MOTORCA
AND DEPARTS ENROUTE FOREST HILLS JEWISH COMMUNITY CENTER,
QUEENS, NEW YORK

Press Pool #2 follows

10:20 am EDT THE PRESIDENT ARRIVES FOREST HILLS JEWISH COMMUNITY CENTER AN
PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

THE PRESIDENT WILL BE GREETED BY:
Rabbi Borzine Bokser, Forest Hills Jewish Community Center
Mr. Edwin Berger, President, FHJCC
Congresswoman Geraldine Ferraro
Congressman Benjamin Rosenthal
Mr. Allan Hevers, State Assemblyman

Press Pool #2 Coverage

10:30 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO BALLROOM
STAGE FOR MEETING WITH COMMUNITY AND CIVIC LEADERS

Introduction of the President by Senator Henry Jackson

10:40 am EDT PRESIDENTIAL REMARKS

OPEN PRESS COVERAGE

Press Facilities: 12 LDs
Mult
PA'd to PFC
TV monitors

11:00 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS BALLROOM STAGE AND
PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

11:15 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM, BOARDS MOTORCADE AND
DEPARTS FOREST HILLS JEWISH COMMUNITY CENTER ENROUTE NEW YORK
PUBLIC LIBRARY, NEW YORK, NEW YORK

Press Pool #2 follows

11:20 am EDT Press Bus #1 departs Forest Hills Jewish Community Cent
enroute John F. Kennedy International Airport

PRESS NOTE: Press Buses #2 and #3 will
remain at Jewish Communit
Center for those members
press wishing to watch th
Columbus Day Parade on TV
monitors in ballroom pres
area

- MORE -

1848

11:40 am EDT THE PRESIDENT ARRIVES NEW YORK PUBLIC LIBRARY AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

THE PRESIDENT WILL BE GREETED BY:
Mayor Edward Koch, City of New York
Mr. John LoConsola, 1st Vice President, Columbus Society
Mr. Joseph Carlino, President, Columbus Society

Press Pool #2 Coverage

11:45 am EDT THE PRESIDENT DEPARTS PRIVATE ROOM, PROCEEDS TO STAGE AREA, NEW YORK PUBLIC LIBRARY STEPS, TO SIGN H.J. RESOLUTION 568 AND PROCLAMATION OF ITALIAN/AMERICAN HERITAGE WEEK

PRESIDENTIAL REMARKS

Press Pool #2 Coverage

Press Facilities: 6 LDs
Mult
PA'd to PAA press plane
PA'd to Jewish Community Center

11:50 am EDT Press Bus #1 arrives John F. Kennedy International Airport

11:55 am EDT REMARKS CONCLUDE. THE PRESIDENT DEPARTS STEPS AND PROCEEDS TO PRIVATE ROOM FOR PERSONAL/STAFF TIME

PRESS NOTE: Press Pool #2 immediately proceeds to flatbed truck, Fifth Avenue & 43rd Street

12:00 pm EDT THE PRESIDENT DEPARTS PRIVATE ROOM AND PROCEEDS TO COLUMBUS DAY PARADE STAGING AREA, FIFTH AVENUE AND 43RD STREET

12:05 pm EDT THE PRESIDENT ARRIVES STAGING AREA AND PROCEEDS NORTH ON FIFTH AVENUE IN COLUMBUS DAY PARADE

Press Pool #2 Coverage

12:45 pm EDT THE PRESIDENT ARRIVES PARADE REVIEWING STAND AREA, FIFTH AVENUE AND 69TH STREET, BOARDS MOTORCADE AND DEPARTS ENROUTE WEST 30TH STREET HELIPORT

Press Pool #2 follows

12:50 pm EDT Press Buses #2 and #3 depart Forest Hills Jewish Community Center enroute John F. Kennedy International Airport

- MORE -

In answer to the defendant's contention that no stolen goods were transported in interstate commerce because of the lack of proof that the physical materials so transported came from the drug company's possession, the court held:

We are not persuaded, however, that a different result should obtain simply because the intangible information that was the purpose of the theft was transformed and embodied in a different physical object. To be sure, where no tangible objects were ever taken or transported, a court would be hard pressed to conclude that "goods" had been stolen and transported within the meaning of section 2314; the statute would presumably not extend to the case where a carefully guarded secret formula was memorized, carried away in the recesses of a thievish mind and placed in writing only after a boundary had been crossed. The situation, however, is quite different where tangible goods are stolen and transported and the only obstacle to condemnation is a clever intermediate transcription or use of a photocopy machine. In such a case, when the physical form of the stolen goods is secondary in every respect to the matter recorded in them, the transformation of the information in the stolen papers into a tangible object never possessed by the original owner should be deemed immaterial. It would offend common sense to hold that these defendants fall outside the statute simply because, in efforts to avoid detection, their confederates were at pains to restore the original papers to Lederle's files and transport only copies or notes, although an oversight would have brought them within it. (Emphasis added). 365 F.2d at 393-394.

The first case in which section 641 was applied to the theft of government information was United States v. Friedman, 445 F.2d 1076 (9th Cir. 1971), cert. denied sub. nom., Jacobs v. United States, 404 U.S. 958 (1971). The government alleged that the defendants had received copies of certain transcripts of grand jury testimony passed to them through an intermediary from the office manager of a court reporting service who had made unauthorized copies of the transcripts. The copies, as in Battone, supra, were made privately not using government

equipment or supplies; a distinction which has relevance to the application of the "document rationale" discussed earlier.

In the charge to the jury the trial Judge in Friedman explained that under Rule 6(e) of the Federal Rules of Criminal Procedure the Grand Jury transcripts could not be released until authorized by the court. The judge then continued:

The effect of said Rule is that information ... as to the questions asked and answers given at a particular session of the Grand Jury are the property of the United States and remain its property alone unless and until the release of said information is ordered by a court order. Said information is Government property regardless of who may be said to own the particular sheets of paper or tapes on which said information is recorded. 445 F.2d at 1087.

The Ninth Circuit upheld this charge as a correct statement of the law. Id at 1087.

The "Information Rationale" is bottomed on the theory that the "content" of a government document, i.e., the "information" therein, constitutes a "thing of value" under section 641. This analysis was first approved in United States v. Lambert, 446 F.Supp. 890 (D.Conn. 1978), off'd sub. nom., United States v. Girard, 601 F.2d 69, (2nd Cir. 1979). Lambert involved a "pure" information situation, as opposed to the photocopying of government documents. The defendants were alleged to have derived from a DEA computer information on the identity of possible informants and the status of government investigations into illegal drug traffic. Because only "information" rather than "documents" were transferred, Lambert claimed that section 641 was inapplicable. In rejecting his claim the District Court

approved the approach in Friedman, supra, and stated:

In order for section 641 to realize the broad-gauged role articulated by the Supreme Court in Morrisette v. United States, supra, and suggested by the statutory phrase "thing of value", it must be independent of the constraints and the vagaries of particular common-law doctrines. ³⁴ United States v. Bottone, supra, teaches us, the content of a document may be more important than its original four corners. In fact, the defendant himself admits that government documents have little value apart from the information contained in them. The Government's brief describes well the importance of the allegedly stolen information:

The property involved here, highly sensitive and confidential information maintained in computerized records, had a value only so long as it remained in the Government's exclusive possession. While so possessed, it was ... a thing of extraordinary, incalculable value, something gained by the expenditure of countless man hours and other resources, capable of saving lives or, if misappropriated, severely jeopardizing them. This Court sees no reason to restrict the scope of section 641 to the theft of government paper and ink, or to unauthorized reproduction. The phrase "thing of value" in section 641, in conjunction with the explicit reference to "any record", covers the content of such a record. 446 F.Supp. at 895.

The Second Circuit, in upholding the Lambert decision in Unites States v. Girard, 601 F.2d 69³⁵ (2nd Cir. 1979), expanded upon the analysis of information as constituting a "thing of value" under section 641:

Like the District Judge, we are impressed by Congress' repeated use of the phrase "thing of value" in section 641 and its predecessors. These words are found in so many criminal statutes throughout the United States that they have in a sense become words of art. The word "thing" notwithstanding, the phrase is generally construed to cover intangibles as well as tangibles. For example, amusement is held to be a thing of value under gambling statutes ... Sexual intercourse, or the promise of sexual intercourse, is a thing of value under a bribery statute ... So also are a promise to reinstate an employee, ... and an agreement not to run in a primary election... The testimony of a witness is a thing of value under 18 U.S.C. Section 876, which prohibits threats made through the mails with the intent to

extort money or any other "thing of value"...

Although the content of a writing is an intangible, it is nonetheless a thing of value. The existence of a property in the contents of unpublished writings was judicially recognized long before the advent of copyright laws... This property was "not distinguishable from any other personal property" and was "protected by the same process, and [had] the benefit or all the remedies accorded to other property so far as applicable." *Palmer v. DeWitt*, 47 N.Y. 532, 538 (1872). Although we are not concerned here with the laws of copyright, we are satisfied, nonetheless, that the Government has a property interest in certain of its private records which it may protect by statute as a thing of value. It has done this by the enactment of section 641. See *United States v. Friedman* 445 F.2d 1070, 1087 (9th Cir.), cert. denied, 408 U.S. 958, 92 S.Ct. 326, 30 L.Ed.2d 275 (1971) (transcript of grand jury proceeding). Section 641 is not simply a statutory codification of the common law of larceny. See *Morissette v. United States*, 342 U.S. 246, 269 n.28, 72 S.Ct. 240, 96 L.Ed. 288 (1952). Indeed, theft is not a requisite element of the proscribed statutory offense, which is based upon unauthorized sale or conversion. *United States v. Sher*, 418 F.2d 914, 915 (9th Cir. 1969). If, as the Court said in *Morissette*, supra, conversion is the "misuse or abuse of property" or its use "in an unauthorized manner", the defendants herein could properly be found to have converted DEA's computerized records. 601 f.2d at 71. (citations omitted)

D. Whistleblowing v. Private Gain

It is of particular importance in assessing the existence of any distinction between "whistleblowing" and "theft for private gain", that all of the cases where the "information rationale" has been accepted in applying section 641 involved theft or conversion for private gain. No cases have ever decided that the release of government information to the public or the media by a government employee would constitute a violation of section 641. The reluctance of the courts to make such an application arises out of the judiciary's respect for the obvious First Amendment ramifications of such a construction of the statute. See,

Hubbard, supra, at 80.

Indeed, one of the first courts to consider the issue of the release of government documents to the press refused to even find that there had been a "conversion" of the documents. In Pearson v. Dodd, 410 F.2d 701 (D.C. Cir. 1969), Senator Thomas Dodd of Connecticut sued newspaper columnists Drew Pearson and Jack Anderson for conversion of certain documents taken from his Senate office files by a former and current member of his staff, who photocopied them, replaced the originals and turned over the copies to Anderson, who was aware of the manner in which the copies had been obtained. Pearson and Anderson thereafter published articles containing information gleaned from the documents.

Dodd sued in a civil tort action for invasion of privacy and conversion, thus section 641 was not an issue. However, since the U.S. Supreme Court has held that the scope of the crime of conversion under section 641 may be no greater than that of the tort of conversion, Morissette v. United States, 342 U.S. 246, 263 (1952), the Pearson court's analysis is important in understanding the reach of section 641.

The Pearson Court reasoned that because the documents in question were removed from the files at night, photocopied, and returned to the files undamaged before office operations resumed in the morning, Senator Dodd was not "deprived of his use of them" so as to constitute a "conversion" of his property. Id at 707. The Pearson Court apparently was proceeding under a rejection of the "document" type rationale, as opposed to the

"information" rationale often used in section 641 cases, although Pearson discussed the conversion of information theory, and in the context of the facts before it, rejected it also:

It has long been recognized that documents often have value above and beyond that springing from their physical possession. They may embody information or ideas whose economic value depends in part or in whole upon being kept secret. The question then arises whether the information taken by means of copying appellee's office files is of the type which the law of conversion protects. The general rule has been that ideas or information are not subject to legal protection, but the law has developed exceptions to this rule. Where information is gathered and arranged at some cost and sold as a commodity on the market, it is properly protected as property. Where ideas are formulated with labor and inventive genius, as in the case of literary works or scientific researches, they are protected. Where they constitute instruments of fair and effective commercial competition, those who develop them may gather their fruits under the protection of the law.

The question here is not whether appellee had a right to keep his files from prying eyes, but whether the information taken from those files falls under the protection of the law of property, enforceable by a suit for conversion. In our view, it does not. The information included the contents of letters to appellee from supplicants, and office records of other kinds, the nature of which is not fully revealed by the record. Insofar as we can tell, none of it amounts to literary property, to scientific invention, or to secret plans formulated by appellee for the conduct of commerce. Nor does it appear to be information held in any way for sale by appellee, analogous to the fresh news copy produced by a wire service. (footnotes omitted) Id at 707-708.

One distinguishing factor which lessens Pearson's value in section 641 analysis is the fact that the Court assumed that the documents in question were Senator Dodd's "personal" property as opposed to being "government" documents. The Court made reference to the distinction as raising a question of Dodd's right of title, but specifically did not decide the question. Id at 706, n. 23.

The most celebrated case involving a prosecution for the release of government information to the public was the Pentagon Papers trial of Daniel Ellsberg and Anthony Russo, United States v. Russo, No. 9373 - (WMB) (C.D. Cal. 1973), (hereinafter referred to as the Ellsberg case). Defendants Ellsberg and Russo were indicted for, among other things, six counts of violating section 641, the principal count charging that Ellsberg did "embezzle, steal and knowingly convert to his own use and the use of another" the documents which became known as the Pentagon Papers.

Daniel Ellsberg was one of several individuals who contributed, under the auspices of the Rand Corporation, to the writing of a history of the United States' role in Indochina commissioned by the Secretary of Defense. Ellsberg was authorized to possess a copy of the top secret Papers provided he kept them at all times on the premises of the Rand Corporation in Santa Monica, California, and when not in use, in his top secret safe, and further that he not reproduce them. Ellsberg admitted that he temporarily removed the Papers to a location in Hollywood, copied them, and returned the original to Rand. The Papers were ultimately given to the New York Times and the Washington Post, who published them.

Because the District Court granted the defendants' motion to dismiss based upon governmental misconduct in suppressing evidence, invading the physician-patient relationship, illegal wiretapping, destruction of evidence, and disobedience to judicial orders, the issue of the applicability of section 641 to

whistleblower situations was never decided. However, in an analysis of the First Amendment implications of applying section 641 to Ellsberg's actions, Professor Melville Nimmer has concluded:

The right to disseminate information regarding the activities of the federal government lies at the very core of the freedoms of speech and press protected by the first amendment. [See, e.g. *New York Times Co. v. United States*, 403 U.S. 713, 717 (1971) (Black, J., concurring)] If unauthorized reproduction of documents constitutes "conversion" under section 641, that section is clearly overbroad because then such reproduction of any governmental document could constitute an act of criminal conversion. Section 641 could thus be used as a vehicle for rendering criminal the reproduction of the most innocuous and the most significant types of governmental documents without reference to whether any such reproduction would be injurious to the national security or to any other legitimate governmental interest. Under this construction of the statute, it is not just classified documents, or even documents relating to the national defense, the reproduction of which may be rendered criminal, but any documents which a governmental official may, in his uncontrolled discretion, decide should not be reproduced. Because the statute contains no standards for officials to use in deciding whether to permit reproduction of given governmental documents, this construction of section 641 renders it as violative of the first amendment as were the numerous parade ordinances struck down as overbroad by the Supreme Court because of the lack of standards to guide officials in granting parade permits. Just as such standardless parade ordinances abridge freedom of speech, so too does section 641 if it is read as prohibiting the reproduction of governmental documents.

Nimmer, "National Security Secrets v. Free Speech: The Issues Left Undecided in the Ellsberg Case," 26 Stan. L. Re. 311, 322 (1974).

While Nimmer argued that section 641 could not be applied to the reproduction of government documents, he apparently was doing so in the context of the First Amendment, where the reproduced copies were subsequently released to the media for

public interest reasons. Even the courts which have applied section 641 to the reproduction of government documents and information have been careful to distinguish their cases (which involved theft or conversion for private use or gain) from First Amendment situations. In United States v. Lambert, *supra*, the court addressed the defendant's vagueness and overbreadth challenge to section 641 as follows:

This Court considers substantial both the Government's property and security interests protected by the statute, and the statute's potential for deterring constitutionally protected speech. Facial invalidation is "strong medicine," Broadrick v. Oklahoma, *supra*, 413 U.S. at 613, 93 S.Ct. 2908, because it necessarily involves the sacrifice of one important interest to further another. In the present case, no such sacrifice is necessary because a narrowing interpretation is possible. In Arnett v. Kennedy, 416 U.S. 134, 162, 94 S.Ct. 1633, 1648, 40 L.Ed.2d 15 (1974), the Supreme Court rejected an overbreadth challenge to a federal statute that permitted the dismissal of employees "for such cause as will promote the efficiency of the service", by declaring as a general rule that the statute did not apply to constitutionally protected expression. Here, there is also no indication that Congress meant to prohibit constitutionally protected disclosures. But because the statute in this case involves criminal sanctions, the language of the statute must be further defined, and the scope of the statute reduced. The solution is to interpret section 641 alone as neither authorizing nor prohibiting the transfer of particular types of information. The section must be read as merely establishing a penalty for the violation of other, more particular, prohibitions against disclosure. Thus, the jury may consider only transfers of information affirmatively prohibited by other federal statutes, administrative rules and regulations, or, perhaps longstanding government practices. Because the network of restrictions on the disclosure of government information is complex, no government-wide validation or invalidation of section 641 is possible or appropriate. Constitutional challenges to this statute must be considered on a case-by-case basis in light of the particular type of information involved and the character of the prohibition against disclosure. This does not mean that further review of section 641's chilling effect on first amendment activities must be restricted to an examination of the government controls "as applied" to the particular

defendant. Rather, the various statutes and regulations dealing with confidential government information may still be challenged on their face, but only when relevant; the existence of section 641 will mandate careful scrutiny. Id. at 899. (Emphasis added).

In United States v. Girard, supra, the Court of Appeals, in affirming Lambert, also took pains to distinguish the First Amendment situation:

The District Judge also rejected appellants' constitutional challenge to section 641 based upon alleged vagueness and overbreadth, and again we agree with his ruling. Appellants, at the time of the crime a current and a former employee of the DEA, must have known that the sale of DEA confidential law enforcement records was prohibited. The DEA's own rules and regulations forbidding such disclosure may be considered as both a delimitation and a clarification of the conduct proscribed by the statute. See United States Civil Service Commission v. National Association of Letter Carriers, 413 U.S. 548, 576-79, 93 S.Ct. 2880, 37 L.Ed.2d 796 (1973); Adamian v. Jacobsen, 523 F.2d 929, 932-35 (9th Cir. 1975). Where, as here, we are not dealing with defendants' exercise of a First Amendment freedom, we should not search for statutory vagueness that did not exist for the defendants themselves. 601 F.2d at 71 (emphasis added).

Further judicial concern indicating the Court's reluctance to apply section 641 where First Amendment issues are involved was expressed in dicta by Judge Winter in his decision in United States v. Truong Dinh Hung, 629 F.2d 908 (4th Cir. 1980). While the majority upheld the defendant's espionage conviction and section 641 conviction based on the concurrent sentence doctrine, Judge Winter specifically addressed in lengthy dicta his conclusion that section 641 could not be applied to release of the classified information involved in that case because other statutes governed such acts. His analysis of the First Amendment aspects of section 641 is enlightening:

While I would thus conclude that in some circumstances section 641 may encompass the unauthorized disclosure of government information, section 641 must be applied to the theft of government information with extreme care. Two particularly acute problems arise when the statute is used to punish defendants who have stolen government information.

First, because the statute was not drawn with the unauthorized disclosure of government information in mind, section 641 is not carefully crafted to specify exactly when disclosure of government information is illegal. The crucial language is "without authority". The precise contours of that phrase are not self-evident. This ambiguity is particularly disturbing because government information forms the basis of much of the discussion of public issues and, as a result, the unclear language of the statute threatens to impinge upon rights protected by the first amendment. Under section 641 as it is written, no precise standard controls the exercise of discretion by upper level government employees when they decide whether to forbid or permit the disclosure of government information. See *Nimmer, National Security Secrets v. Free Speech: The Issues Left Undecided in the Ellsberg Case*, 26 *Stan.L.Rev.* 311, 322 (1974). Consequently, upper level government employees might use their discretion in an arbitrary fashion to prevent the disclosure of government information; and government employees, newspapers, and others could not be confident in many circumstances that the disclosure of a particular piece of government information was "authorized" within the meaning of section 641. Thus, the vagueness of the "without authority" standard could pose a serious threat to public debate of national issues, thereby bringing the constitutional validity of section 641 into question because of its chilling effect on the exercise of first amendment rights. See *Cox v. Louisiana*, 379 U.S. 536, 85 S.Ct. 453, 13 L.Ed.2d 471 (1965). 629 F.2d at 924-925.

With respect to the work of the Committee investigating the briefing papers affair, Judge Winters' concern over the lack of a precise standard for the application of section 641 to government information opens the door for possible legislation to define such a standard. Since we are considering the distinction between theft and conversion for private gain versus whistleblowing, that distinction may provide the basis upon which a standard can be legislatively fashioned to control when section

641 should be applied to the release of government information. Any such legislative drafting must, however, proceed with extreme caution so as to avoid narrowing or restricting fundamental First Amendment freedoms.

E. The Effect of Federal Employee Standards of Conduct on the Application of Section 641

All Federal employees are governed by the Standards of Conduct found in 5 C.F.R. Section 735.201 et seq., which provide in pertinent part as follows:

Sec. 735.201a Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by this subpart which might result in, or create the appearance of:

- (a) Using public office for private gain;
- (b) Giving preferential treatment to any person;
- (c) Impeding Government efficiency or economy;
- (d) Losing complete independence or impartiality;
- (e) Making a Government decision outside official channels; or
- (f) Affecting adversely the confidence of the public in the integrity of the Government.

* * *

Sec. 735.205 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

Sec. 735.206 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in Sec. 735.203(c), directly or indirectly use, or allow the use of, official

information obtained through or in connection with his Government employment which has not been made available to the general public.

■ ■ ■

Sec. 735.209 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

In virtually identical language, all employees in the Executive Office of the President are bound by the same Standards of Conduct, which are found at 3 C.F.R. Section 100.735-1 et seq., which provide in pertinent part as follows:

Sec. 100.735-4 General standards of conduct.

(a) All employees shall conduct themselves on the job in such a manner that the work of their agency is efficiently accomplished and courtesy, consideration, and promptness are observed in dealings with the Congress, the public, and other governmental agencies.

(b) All employees shall conduct themselves off the job in such a manner as not to reflect adversely upon their agency or the Federal service.

(c) In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

- (1) Using public office for private gain;
- (2) Giving preferential treatment to any person;
- (3) Impeding Government efficiency or economy;
- (4) Losing complete independence or impartiality;
- (5) Making a Government decision outside official channels; or
- (6) Affecting adversely the confidence of the public in the integrity of the Government.

■ ■ ■

Sec. 100.735-17 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to

protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

Sec. 100.735-18 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (b) of Sec. 100.735-15, directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

■ ■ ■

Sec. 100.735-21 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

Sec. 100.735-22 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that related to his ethical or other conduct as an employee of his agency and of the Government. In particular, attention of employees is directed to the following statutory provisions:

■ ■ ■

(m) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641);

Of particular interest also in the context of the briefing papers affair is 5 C.F.R. Section 4.1, Office of Personnel Management, Prohibited Practices, which provides in relevant part as follows:

Sec. 4.1 Prohibition against political activity.

No person employed in the executive branch of the Federal Government, or any agency or department thereof, shall use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

See also, 5 C.F.R. Sec. 733.121, Political Activity of Federal Employees, Prohibited Activities.

The actions of a White House employee in allegedly photocopying President Carter's briefing papers and then turning over the copies to officials in the Reagan election campaign are arguably specific violations of 3 C.F.R. Sections 100.735-4(c)(2) & (6), Sec. 100.735-17 and 18, as well as 5 C.F.R. Sec. 735.201a(b) and (f), Sec. 735.205 and 206. Because the ostensible purpose in providing the papers to the Reagan campaign was to aid candidate Reagan in his election campaign against President Carter thereby "affecting the result" of the election, 5 C.F.R. Sec. 4.1 was also arguably violated.

The violation of these regulations has particular significance in the application of section 641 to the facts of this affair based upon the "Information Rationale". The violation of government regulations was cited by the courts in United States v. Lambert, supra, and United States v. Girard, supra, as the critical factor in establishing the standard for determining when section 641 could be applied to the conversion or theft of government information:

By regulating the disclosure of government information, section 641 clearly touches a sensitive constitutional area. Therefore the need for definiteness is acute. Yet section 641 provides no greater guidance as to when disclosure is prohibited than it does in regard to traditionally recognizable possessory interests. Indeed, the statutory phrase "without authority" is virtually devoid of meaning when applied to the transfer of information.

This lack of content in the phrase "without authority" makes application of the overbreadth test difficult, for an examination of the statute's sweep, both legitimate and illegitimate, largely depends on the meaning of that phrase.

The Court could interpret the phrase to mean "without express permission," but that would make illegal the disclosure of information of public interest that the government had no reason to keep secret, and had not meant to protect, but had merely overlooked. This would constitute a government pocket veto on disclosure unrelated to the significance of the information. The phrase also could mean, in the context of government employees, "only with the permission of one's superior." But this would punish subordinates who disclose information of public significance against the arbitrary orders of superiors who fear embarrassment. Numerous other interpretations are possible, and without guidance the jury would be free to construct its own test as to when disclosure of government information is punishable. Whether the problem with the statute is termed overbreadth or vagueness, it is clear that the statute is susceptible to impermissible applications.

* * *

The solution is to interpret section 641 alone as neither authorizing nor prohibiting the transfer of particular types of information. The section must be read as merely establishing a penalty for the violation of other, more particular, prohibitions against disclosure. Thus, the jury may consider only transfers of information affirmatively prohibited by other federal statutes, administrative rules and regulations, or, perhaps, longstanding government practices. Because the network of restrictions on the disclosure of government information is complex, no government-wide validation or invalidation of section 641 is possible or appropriate. United States v. Lambert, 446 F.Supp. 890, 898-899 (D.C. Conn. 1978). (Emphasis added).

In affirming the Lambert decision, the Girard Court emphasized that "[t]he DEA's own rules and regulations forbidding such disclosure may be considered as both a delimitation and a clarification of the conduct proscribed by the statute." 601 F.2d at 71.

Indeed, both 3 C.F.R. Sec. 100.735-18 and 5 C.F.R. Sec. 735.206, regarding Misuse of Information, are addressed to situations where an employee uses information obtained through or in connection with his government employment "for the purpose of

furthering a private interest," which recognizes the distinction between private gain and the public interest considerations a whistleblower would have in releasing information to the public through the media or otherwise, and is consistent with the holdings of the courts in Friedman, Lambert, and Girard, supra.

From an employment standpoint federal employees are protected from reprisals for whistleblowing activities under the merit system principles established in 5 U.S.C. Sec. 2301 (b)(9):

(9) Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences --

(A) a violation of any law, rule, or regulation, or (B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

5 U.S.C. Sec. 2302 (b)(8) further provides:

(b) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority --

* * *

(8) take or fail to take a personnel action with respect to any employee or applicant for employment as a reprisal for --

(A) a disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences --

(1) a violation of any law, rule or regulation, or (11) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety,

if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs;

While these "whistleblowing" provisions of the Civil Service Reform Act work only as a defense to disciplinary action, Martin

v. Laver, 686 F.2d 24, 29 n.19 (D.C. Cir. 1982), they clearly evidence the intention of Congress that the release of government information for public interest purposes should be accorded more protection than the conversion of government information for one's own private interest or the private interests of other persons.

CONCLUSION

In summary, 18 U.S.C. Section 641 would be applicable to the Carter briefing papers affair. Depending on the facts surrounding the actual photocopying and delivery of the briefing documents to Reagan campaign officials, section 641 could be applied on either the "Document" or "Information" rationales. In assessing the application of section 641, the following factors would have to be considered:

1. Whether the person in the White House who photocopied the papers did so using government equipment or supplies or did so while working on government time.

If so, that person and the persons who received the papers could be proceeded against under section 641 on the "Document" rationale theory that by using government equipment, supplies, or time, the physical photocopies themselves thus become government property or "records" within the meaning of section 641.

The Document Rationale is the easiest and cleanest way to apply section 641 and avoids any First Amendment problems in arguing that section 641 prohibits theft or conversion of

government "information".

2. If the papers were copied privately and the originals returned to the proper files, the Document Rationale would not apply, and the perpetrators involved would have to be proceeded against under the "Information" rationale which asserts that the "information" contained in the briefing papers themselves, as opposed to the paper and ink, is a "thing of value" to the government within the meaning of section 641.

Under the circumstances as known regarding the conversion of the briefing papers and their ultimate use, it could be confidently alleged that the papers were taken and used for a "private" purpose, i.e., to gain a political advantage or to influence the course of the election campaign or the outcome of the 1980 election.

That being the case, any concerns regarding the potential application of section 641 to individuals releasing government information to the public through the media or otherwise can be alleviated because the courts have recognized a distinction between the two and have demonstrated a reluctance to broaden section 641 to such "whistleblowing" activities which encompass First Amendment expressions.

Additionally, the responsibility of federal employees for their stewardship of government information and documents embodied in 5 C.F.R. Sec. 735.201 et seq. and 3 C.F.R. Sec. 100.735-1 et seq. and the specific references to the misuse of government information "for the purpose of furthering a private interest" in 5 C.F.R. Sec. 735.206 and 3 C.F.R. Sec. 100.735-18,

supports the application of section 641 to the briefing papers affair and underscores the distinction seemingly prevalent in both judicial decisions and legislation between private interest v. public interest conversions of government information, and provides something of a standard in determining when section 641 should be invoked. The lack of a definite standard, however, for applying section 641 may very well be an area in which the Subcommittee may wish to consider legislative action in order to fill the void.

Respectfully submitted,

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U.S. House of Representatives
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January 30, 1984

Mr. David Martin, Director
Office of Government Ethics
Office of Personnel Management
1900 E Street NW
Washington, D.C. 20415

Dear Mr. Martin:

Recently Congresswoman Patricia Schroeder, Chairwoman of the Civil Service Subcommittee, contacted me about concerns she has about the current status of the ethics program in the federal government. While it is the Human Resources Subcommittee which has jurisdiction over Ethics in Government and Standards of Conduct, Chairwoman Schroeder chaired the Subcommittee when the Ethics in Government Act originally passed in 1978. I am thus writing to express concerns which we both have and to request information that will assist the Human Resources Subcommittee in fully responding to them those concerns.

In recent months, there has been a continuation of the conflicts of interest and failure to disclose conflicting interests that have been so widespread among high officials in recent years. Both Chairwoman Schroeder and I are concerned that this trend of conflicts and apparent violations will continue unless additional affirmative steps are taken to correct the situation.

In response to my letter to you concerning the financial disclosure of then Federal Aviation Administration head Mr. J. Lynn Helms, you indicated that you would report to us on your review of his situation. We urge you to complete that review despite the fact that Mr. Helms has now resigned. This is necessary to encourage respect for the ethics laws among current and prospective executive branch officials and employees as well as those who have left government service.

Your letter also indicates your concurrence that Section 9 of the recently enacted Amendments to the Ethics in Government Act should solve the problem posed by the Helms situation. This amendment requires that when an official makes a promise to sell off or place in blind trust financial interests which may present

conflicts of interest, that official must inform the appropriate authorities in writing of action taken to comply with that agreement. It requires also that agreements to withdraw from agency action affecting an interest of that official must specifically describe in writing the subjects to which the agreement will apply and the process for determining when the official will withdraw from that action or meeting.

An opportunity now exists to prevent future conflicts of interest across the board if this amendment is applied carefully this year to all financial disclosure forms that are filed each spring. This amendment presents the opportunity to assist agencies and their personnel by comparing last year's disclosure statements with those due on May 15, 1984 to determine whether there are new or remaining interests that should be removed or reflected in "recusal" agreements. This review and "updating" of divestiture and recusal agreements will assure the Congress and the American public that high government officials have followed through on their earlier promises to remove any interests which conflict with their government employment.

As indicated in the report submitted by the Subcommittee on Human Resources to accompany the Amendments to Ethics in Government Act, the powers of the OGE are considerable and should be interpreted broadly. In regard to this specific amendment, the Subcommittee report directs that recusal agreements be made known and available within the affected official's agency so that other employees will be familiar with constraints provided by those agreements. (Rept. 98-9 Part 2, p. 21).

I would also appreciate it if you could provide for our review some statistics which could serve as a means of measuring the existing conflict of interest problem. For example, we would like to be able to trace the number of financial, personal and political conflicts of interest noted by or reported since enactment of the Ethics in Government Act of 1978 to designated agency ethics officials and the Public Integrity Section of the Justice Department and briefly how those were resolved. The manner in which these conflicts were resolved may be reported in the simplest manner possible.

It would also be helpful, in the Human Resources Subcommittee's continued review of ethics programs, to have figures on the effectiveness of the May 15th filing deadline. Specifically, please provide a list of the dates on which relevant officials filed their standard disclosure forms during the last disclosure cycle. Limiting the list to Senate-confirmed appointees would be sufficient.

I would also like to know if possible the number of "person years" at each GS and executive level within each agency that have been devoted to the ethics programs during each year.

Also, those officials who were indicted or convicted for crimes related to conflicts of interest or Standards of Conduct, for example, of the 158 and 147 respectively reported in 1982, I would also like to know how many of those still in government service were also subject to related personnel actions. It would also be useful to note how many adverse personnel actions were based on violations of government-wide or specific agency Standards of Conduct and how many of these are reported or indexed in any way so as to provide a guide for other employees. A complete listing of those individuals convicted of such violations would be appreciated.

Finally, I would appreciate it if you could have your staff make arrangements with the staff of the Human Resources Subcommittee to review your proposed regulations for implementing the new amendments at the earliest possible opportunity.

We would like a response to the issues raised in this letter by February 9, 1984. Thank you for your efforts in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Albosta", is written over a horizontal line.

Don Albosta
Chairman

DA/jf

2200

United States of America
**Office of
Government Ethics**

Office of Personnel Management
Washington, D.C. 20415

FEB 24 1984

Honorable Donald Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
434 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of January 30, 1984, requesting various statistical and related information concerning the current status of the ethics program in the Federal government.

As you know, Congress established the Office of Government Ethics (OGE) in 1978 as a small legal and consulting office. Presently we have a staff of 23 persons. The Legal staff of six attorneys reviews the financial disclosure statements of Presidential appointees prior to Senate confirmation, issues advisory opinions on conflict of interest laws and regulations, answers an average of 400 telephone calls per month, and assists agencies on individual cases. The Monitoring and Compliance Division staff of nine management analysts' responsibilities include: reviewing the annual and termination financial disclosure statements of approximately 1,000 Presidential appointees confirmed by the Senate; conducting audits of department and agency ethics programs; presenting training courses for agency ethics officials and inspectors general staff here and in regional offices; reviewing the ethics program in regional offices and military installations; operating a computerized system to track Presidential appointees' financial disclosure statements through the confirmation process; and checking on agreements made by Presidential appointees during the confirmation process. Additionally we have my special assistant and six administrative and clerical positions.

As you can see, we have much work to do with limited resources. While this does not make us unique, it does restrict our ability to compile non-essential data. We previously maintained a computerized system for the annual filing of disclosure statements by confirmed Presidential appointees in 1981 and 1982; however, following a staff reduction from 27 to 23 positions, the computerized system was reduced to track only nominee statements. We have requested staffing levels of 25 and 27 positions for FY 1984 and FY 1985, respectively, to allow us both to regain our FY 1981 transition year level of 27 positions for the FY 1985 transition year, and to handle new responsibilities given to us by the recently enacted Pub. L. 98-150 (November 11, 1983), amending the Ethics in Government Act.

Since the primary responsibility for the ethics program rests with each agency, some of your questions might be better answered by individual Designated Agency Ethics Officials (DAEOs). They have the initial responsibility of collecting the public financial

disclosure reports; reviewing them for adequacy, completeness, and compliance with applicable ethics laws and regulations; and making them publicly available. Their review is to be completed within sixty days, after which time the reports of Presidential appointees confirmed by the Senate are forwarded to our Office for further review. With this process in mind, the following responds to your inquiries.

With respect to the former Administrator of the Federal Aviation Administration, Mr. J. Lynn Helms, we are continuing to work with the ethics officials of the Department of Transportation to require Mr. Helms to answer a series of questions concerning the financial disclosure form he filed as a nominee in 1981 and as an incumbent in 1982 and 1983. In addition, pursuant to 5 U.S.C. App. § 201 (f), Mr. Helms' termination report is due to be filed on March 1, 1984. As promised in our earlier communications, we will advise both you and Chairman Ford when our review of this matter is complete.

Your second request - for the number and resolution of all financial, personal and political conflicts of interest noted by or reported to designated agency ethics officials or the Public Integrity Section of the Department of Justice for each year since the enactment of the Ethics in Government Act of 1978 - is simply impossible to fulfill. This Office does not compile such statistics, and to the best of our knowledge, neither do individual departments or agencies. In general, record-keeping with regards to specific conflict of interest cases depends on the particulars of the filing systems used by individual agency ethics officials. However, in order to demonstrate the magnitude of your request we can report that during transition year 1981 354 (58%) of the 615 nominee reports reviewed by this Office required some type of prescriptive action: resignation, recusal, divestiture, or blind trust agreement, in order to bring the nominee into compliance with existing conflict of interest statutes and regulations.

As to your request for figures on the effectiveness of the May 15th filing deadline for public financial disclosure forms, the individual designated agency ethics officials are better able to provide you with that information. Section 203 of Title II of the Ethics in Government Act provides that reporting individuals are to file with their respective designated agency official. In view of the Act's provisions for individual extensions of time for filing their reports of up to ninety days (§ 201(g)), and a sixty day limit for designated agency officials to review these reports (§ 206(a)), our Office generally does not receive the reports until September. This year we are requesting agencies to file a complete listing of all reporting positions with our office by May 1, 1984, and to file all such reports with us by September 15, 1984.

The number of "person years" at each GS and executive level within each agency that have been devoted to the ethics programs during each year since 1978 would be most difficult to determine. We are unaware of the exact number of employees at each GS and executive level within each agency that have been devoted to the ethics programs during each year, and are reluctant to guess at the percentage of time devoted to the ethics program by each individual during those years (i.e., the amount of time a General Counsel/Designated Agency Ethics Official spent fulfilling his "ethics-specific" responsibilities). However, with regard to calendar year 1982, the total number of staff years devoted to the executive branch ethics program government-wide was 513.2.

The 1982 Justice Department report to Congress, which mentioned that 158 federal officials were indicted in 1982 and 147 were convicted, represents all federal officials that were charged in all public corruption cases, not merely those involving conflicts of interest. Only six of the reported cases were brought against federal officials under the conflict of interest statutes (18 U.S.C. §§ 202-209). All of these officials either resigned or were terminated as a result of their convictions. The following is a listing of these individuals.

1. Francis L. Ward, General Services Administration (GSA) inspector, pleaded guilty to a violation of 18 U.S.C. § 209(a). Thereafter, on the basis of Ward's guilty plea, GSA terminated him, effective October 16, 1982. Ward appealed to the Merit Systems Protection Board, which affirmed the agency's action.
2. Avram Shapiro, U.S. Customs Service import specialist, was convicted of violating 18 U.S.C. § 209. He was terminated, effective November 19, 1982, on the basis of his guilty plea to the § 209 charge.
3. Rufus Bell, Associate Deputy Director, Public Health Service in New Mexico, pleaded guilty to a violation of 18 U.S.C. § 208(a). Thereafter, Mr. Bell resigned his position, prior to the commencement of administrative proceedings.
4. Frederick Richmond, Member, U.S. House of Representatives, was convicted of, *inter alia*, a violation of 18 U.S.C. § 209(a). Mr. Richmond resigned from the House of Representatives in the summer of 1982.
5. Joseph De Luca, a U.S. Customs Service cargo chief, was convicted of violating 18 U.S.C. § 208. Mr. De Luca retired after he was indicted; later he pleaded guilty to the § 208 charge. Therefore, he was not subject to any administrative action.
6. Darrell Keith Nelson, a Navy contracting officer, was charged with, among other things, violating 18 U.S.C. § 208(a). Prior to Mr. Nelson's trial, the Navy instituted termination proceedings against him. These were held in abeyance pending the outcome of the trial, which ended in a hung jury. Subsequently, Mr. Nelson pleaded guilty to several counts of violating 18 U.S.C. § 201(g). The Assistant U.S. Attorney who handled his case is almost certain that Mr. Nelson was either terminated or forced to retire.

Finally, with regard to your request to review our proposed regulations that would implement the amendments to the Ethics in Government Act, we will advise you when those regulations are complete and ready to be sent out for general comments. At that time, we will be publishing and distributing the proposed regulations for comments, and will be most pleased to receive your views.

If you have any questions regarding the information contained herein do not hesitate to contact me.

Sincerely,


David H. Martin
Director

2203

Congress of the United States
House of Representatives
Washington, D.C. 20515

Honorable Donald J. Alhota
Chairman
Subcommittee on Human Resources
A-511 HOB Annex #1
Washington, DC 20515

February 29, 1984

Dear Mr. Chairman:

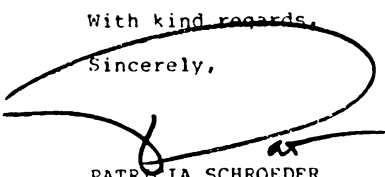
During the last three years, there has been a disturbing number of instances of public officials being accused, and quite often found guilty, of ethical violations or criminal wrongdoing. Too often the allegations of misconduct first surface in the media. The investigations and impetus for action are seemingly left to the press and the public. I find this a matter of grave concern, especially since this suggests that the Office of Government Ethics (OGE), with its mandate to "preserve and promote the integrity of public officials and institutions," may be ineffective.

I wrote to Mr. David H. Martin, Director of the Office of Government Ethics, for information on the filing and processing of public disclosure forms required of each Presidential appointee. I am enclosing a copy of my letter to Mr. Martin and his response which points up a number of very serious shortcomings with the Office and the process. Specifically, due to severe budget and staffing constraints, the records that are kept and the statistics compiled are inadequate. Therefore, it is difficult to assess the work and effectiveness of the Office of Government Ethics. Also, the fact that 70% of the reports filed are incomplete would seem to indicate some problem with the process. In response to a list of individuals who have been charged with a variety of misdeeds, Mr. Martin explained the involvement of the Office of Government Ethics in each instance. It appears that OGE, while quite often involved in an advisory or assisting capacity, very seldom was responsible for uncovering or preventing an ethical violation.

I urge you and your Subcommittee to scrutinize the effectiveness and suitability of the Office of Government Ethics. I will be delighted to assist you in any way.

With kind regards,

Sincerely,


PATRICIA SCHROEDER
Member of Congress

Enclosures

United States of America
**Office of
Government Ethics**

Office of Personnel Management
Washington, D.C. 20415

FEB 15 1984

Honorable Patricia Schroeder
Chairwoman, Subcommittee on Civil Service
Committee on Post Office and Civil Service
House of Representatives
2410 Rayburn House Office Building
Washington, D.C. 20515

Dear Ms. Schroeder:

This is in response to your letter of January 26, 1984, requesting various statistical data concerning the public financial disclosure system for presidential appointees, and requesting data as to our Office's involvement, if any, in the individual cases of 17 Government officials.

As you know, Congress established the Office of Government Ethics (OGE) in 1978 as a small legal and consulting office. Presently we have a staff of 23 persons. The Legal staff of six attorneys reviews the financial disclosure statements of presidential appointees prior to Senate confirmation, issues advisory opinions on conflict of interest laws and regulations, answers an average of 400 telephone calls per month, and assists agencies on individual cases. The Monitoring and Compliance Division staff of nine management analysts is responsible for reviewing the annual and termination financial disclosure statements of approximately 1,000 presidential appointees confirmed by the Senate; conducting audits of department and agency ethics programs; presenting training courses for agency ethics officials and inspectors general staff here and in regional offices; reviewing the ethics program in regional offices and military installations; operating a computerized system to track presidential appointees' financial disclosure statements through the confirmation process; and checking on agreements made by presidential appointees during the confirmation process. Additionally we have my special assistant and six administrative and clerical positions.

As you can see, we have much work to do with limited resources. While this does not make us unique, it does restrict our ability to keep a great deal of statistics on our operations. We had a computerized system for the annual filing of disclosure statements by confirmed presidential appointees in 1981 and 1982. However, our staff was cut from 27 to 23 positions and the computerized system was reduced to track only nominee statements. We have requested staffing levels of 25 and 27 positions for FY 1984 and FY 1985, respectively, to allow us both to regain our FY 1981 transition year level of 27 positions for the FY 1985 transition year, and to handle new responsibilities given to us by the recently enacted PL 98-150 (November 11, 1983), amending the Ethics in Government Act.

Since the primary responsibility for the ethics program rests with each agency, some of your questions might be better answered by individual Designated Agency Ethics Officials (DAEO's). They have the initial responsibility for collecting the public financial disclosure reports; reviewing them for adequacy, completeness, and compliance with applicable ethics laws and regulations; and making the statements publicly available. Their review is to be completed within sixty days. After this review the reports of presidential appointees confirmed by the Senate are forwarded to our Office for further review. With this process in mind, the following responds to your inquiries.

There are approximately 1,000 positions held by Presidential appointees confirmed by the Senate who are required to file reports with their agency. The respective DAEOs review the reports and forward them to this Office. The actual number of Senate-confirmed Presidential appointees is constantly in a state of flux due to resignations, vacancies, new appointments, and agency reorganizations. Consequently, it is very difficult to keep a current list of these appointees. For 1983, we have received 961 reports to date. These include nominee, incumbent and termination reports. In conducting our audits of agency ethics programs we find that these are generally filed on time. This year we are requesting agencies to file a complete listing of these positions with us by May 1, 1984, and to file all such reports with our Office by September 15, 1984.

As for the completeness of the reports, my staff reviews every annual and termination report every year and compares each report to the prior year's report to insure that they are technically complete after the DAEO has reviewed and forwarded the reports to us. This is an extremely time-consuming process. All nine analysts spend approximately five months annually on it, as we find that we must call the agency on approximately 70% of the reports filed in order both to complete the report and to answer other questions we may have concerning its contents.

As to your inquiry of the number of other Presidential appointees, and the timeliness and completeness of the public disclosure reports they file - I am not sure what universe of positions is encompassed by your question. The only non-confirmed Presidential appointees who will now be required to file with our Office as a result of PL 98-150 are certain positions in the Executive Office of the President. We have never seen any statistics separating out the number of reports filed by Presidential appointees not confirmed by the Senate. If you have questions on these positions in a particular agency, you may want to contact each agency DAEO. With the exception of the reports from the White House, we would only review reports of other non-confirmed Presidential appointees, including Schedule C appointments, when we review a sample number of disclosure reports in conducting our audits of agency ethics programs.

Each agency is responsible for ensuring the timely filing of complete public disclosure reports by May 15 annually. Of course, the agencies can grant extensions for filing until July 1 (45 days) for good cause given. We contact the agencies around June 15 to determine whether all such confirmed Presidential appointee reports have been filed, and continue checking periodically until such reports are filed with the DAEO and forwarded to us. We check reports of other officials only when we do an audit of an agency's ethics program, about once every three years. In each audit, we examine a representative and critical sample of the public disclosure reports to determine whether they have been filed, properly completed and adequately reviewed.

This year, as in the past, we have sent a memorandum to all DAEO's reminding them that all annual reports due to be filed by May 15, 1984, should be filed, made publicly available, and reviewed within the time frames set in the law.

Nominee and incumbent reports of Presidential appointees confirmed by the Senate are reviewed first by the DAEO and then forwarded to us. We then review each report section by section and in the case of annual reports compare it to the prior year's report to spot any conflict of interest problems, incomplete sections, or missing transactions. As you are aware, Congress established a self-certifying system in 1978. Even then, we have to call back on approximately 70% of the reports to obtain additional information or resolve questions we may have.

In conducting agency audits we determine how the public disclosure reports not required to be filed with us are reviewed by the DAEO's and we recommend procedures for reviewing the reports when we find they are incomplete or have unresolved questions or inadequate review documentation.

You also requested us to "indicate any involvement the Office of Government Ethics has had..." in seventeen individual cases of alleged wrongdoing by federal officials and if no involvement, the explanation of "why not". The following responds to your list.

1. Richard V. Allen - In regard to the allegations of incorrect entries on his financial disclosure forms (SF 278s), the Office of Government Ethics (OGE) was substantially involved. In regard to the Department of Justice's criminal investigation of the \$1,000, the three watches and an alleged violation of 18 U.S.C. § 208 based on the circumstances surrounding his sale of his consulting business, OGE was asked to be a legal advisor to the Public Integrity Section, Criminal Division, Department of Justice, on the applicable standards and precedents under section 208. When the Department of Justice issued its public report on the investigation, OGE followed by issuing its own statement to agency ethics officials agreeing with some aspects of the DOJ report and disagreeing with others. Mr. Allen had by then resigned.

2. Joseph W. Canzeri - When the White House Counsel's Office first became aware of these allegations, Fred Fielding, Esq., telephoned our office requesting our advice. Upon hearing the allegations, Mr. Fielding was advised that we believed there was a possible violation of 18 U.S.C. § 209 (relating to unlawful supplementation of a government employee's salary) and that under 28 U.S.C. § 535(b), the case had to be referred to the Department of Justice (DOJ). Fred Fielding agreed and immediately so referred it to DOJ. Mr. Canzeri shortly thereafter resigned.

3. Gerald P. Carmen - OGE was involved in this issue which was slightly different than stated in your letter. From outside sources, from the review of his public disclosure form, and from interviewing Mr. Carmen, we had information that there was a possible violation under 18 U.S.C. § 205 in regard to Mr. Carmen's communications on behalf of his wholly owned outside corporation to the SBA for an extension of time to repay the SBA loan. This was referred to the Department of Justice under 28 U.S.C. § 535(b) principles. After investigation, the Department of Justice declined prosecution. The loan was subsequently satisfied from the sale of the underlying security.

4. William J. Casey - OGE was involved in correcting Mr. Casey's public financial disclosure reports on several occasions, in reviewing his screening arrangements

for avoiding conflicts of interest, and in reporting to Congress our findings. In addition, OGE worked closely with the staff of the Senate Select Committee on Intelligence during the preparation of its December 1981 report on the Casey inquiry.

5. Guy W. Fiske - OGE was involved in providing advice to the General Counsel of the Department of Commerce that, based on allegations that the Department of Commerce had received, a referral of this matter to the Department of Justice under 28 U.S.C. § 535(b) was appropriate to investigate a possible violation of 18 U.S.C. § 208(a) (negotiating for private employment while taking official action affecting that employer). Mr. Fiske subsequently resigned.

6. William S. Heffelfinger - OGE was not involved in this case because the allegations in question came under public scrutiny primarily in 1978 before OGE was established by law. (OGE's first month of business was in January, 1979).

7. J. Lynn Helms - OGE is presently working with the Department of Transportation ethics officials on inaccuracies, if any, on his incumbent public disclosure report. In addition, we are awaiting the filing of his termination report which is due at the Department of Transportation on March 1, 1984 (30 days after his January 31, 1984 resignation.) OGE has no jurisdiction over the alleged manipulations of his private business interests which may be the subject of continuing criminal and SEC investigations.

8. Max Hugel - OGE was not involved in these allegations because they were outside of OGE's jurisdiction. In brief the stock dealings of any presidential nominee which occurred before his or her government service would be matters of concern for the FBI in doing a background search for the White House (we are not privy to those FBI reports) and for the Securities and Exchange Commission. Mr. Hugel resigned.

9. Michael Karem - This was handled by the ethics officials at the Department of Housing and Urban Development ("HUD"). As you know, the Ethics in Government Act of 1978 specifically contemplates that the agencies have the primary responsibility for enforcement of standards of conduct violations in individual cases. See 5 U.S.C. App § 402(b)(7); 5 C.F.R. § 738.102(a).

10. Rita Lavelle - OGE was involved in this case in several different ways. When we were advised of the initial allegations we confirmed through EPA ethics officials that the matter was being investigated. EPA later confirmed that the matter of alleged false statements to Congress under oath had also been referred to the Department of Justice for criminal investigation. (There was no potential criminal conflict of interest violation of 18 U.S.C. § 208 because Ms. Lavelle had severed her financial ties with her former employer upon entering government.) OGE assisted the Department of Justice with their legal research concerning the public disclosure form and an OGE staff attorney testified at the pre-trial motions to dismiss the indictment concerning the agency ethics official's counseling role and the attorney-client privilege. Finally, at the trial, the OGE supervisor of the management analysts testified about the origins and reasons for an OGE issued document on recusals.

11. John Mc Elderry - OGE was not involved in this case, rather, it was handled in the normal course by a Health and Human Services ethics official who reviewed the investigative report of the HHS Inspector General on this matter. The ethics official

found no prima facie criminal violation but did inform and counsel Mr. McElderry on the standards of conduct violation. Mr. McElderry shortly thereafter resigned from HHS.

12. Clarence M. Pendleton, Jr. - OGE is not involved in this litigation which involves facts outside of our jurisdiction. It should be further noted that Civil Rights Commissioners are explicitly exempted from the criminal conflict of interest laws, 42 U.S.C. § 1975 (d)(d).

13. Thomas G. Reed - OGE was involved in orally advising the Department of Defense and the White House of the applicable conflict of interest provisions and disclosure rules regarding special Government employees. (Mr. Reed was one). The grand jury investigation stemmed from matters occurring before Mr. Reed's federal employment and were outside OGE's jurisdiction.

14. James W. Sanderson - When OGE was advised of the allegations against Mr. Sanderson, we telephoned EPA ethics officials to ascertain the status of the matter. We were informed that the matter had already been referred to the Department of Justice for criminal investigation. Mr. Sanderson shortly thereafter terminated his advisory relationship with EPA.

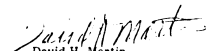
15. E. S. Savas - The HUD Inspector General consulted OGE about the allegations involving the book and several other matters that came up in his investigation. After the Department of Justice declined prosecution on these matters, HUD handled the matter administratively. Mr. Savas resigned.

16. William French Smith - OGE was involved in the \$50,000 severance pay issue which first arose when OGE reviewed the Attorney's General's incumbent public financial report. The Office of Professional Responsibility of DOJ handled the tax write-off issue.

17. Paul Thayer - OGE was involved in a follow-up review of whether Mr. Thayer had fulfilled his financial commitments made to the Senate Armed Services Committee upon entering the federal government. OGE was not involved in looking into the allegations of insider trading which were based on Mr. Thayer's pre-government employment. This, of course, is outside the jurisdiction of OGE and within that of the Securities and Exchange Commission.

We trust that this information satisfactorily answers your questions. We appreciate your interest in these matters.

Sincerely,


David H. Martin
Director

Congress of the United States
House of Representatives
Washington, D.C. 20515

January 26, 1984

Honorable David H. Martin
Director
Office of Government Ethics
1900 E Street
Washington, D.C. 20415

Dear Mr. Martin:

In light of the recent resignations of Presidential appointees after allegations of financial misdeeds, I am concerned about the effectiveness of the existing system for public disclosure. I, therefore, request information on the following questions. Specifically, please provide data for both the initial disclosure forms and the required yearly updates on:

- 1) How many current Presidential appointees who are confirmed by the Senate are there who file public disclosure forms?
 - a) How many of these individuals filed their reports on time?
 - b) How many of these individuals have complete reports on file?
 - c) How many of these individuals do not have complete reports on file or have issues attached to them which have not been resolved?
- 2) How many current Presidential appointees who are not confirmed by the Senate are there who file public disclosure forms?
 - a) How many of these individuals filed their reports on time?
 - b) How many of these individuals have complete reports on file?
 - c) How many of these individuals do not have complete reports on file or have issues attached to them which have not been resolved?

- 3) What steps are taken to enforce the timely filing of complete public disclosure reports?
- 4) What procedures do you have to ensure that individuals file reports containing all information required by law?
- 5) There have been an extensive number of cases involving individuals appointed by the Reagan Administration in which it has been alleged that instances of criminal wrongdoing, abuse of power and privilege, and unethical behavior have occurred. For each of the names and allegations of unethical behavior listed below, please indicate any involvement the Office of Government Ethics has had in the case and, if there has been no involvement,

-Richard V. Allen, National Security Advisor, allegedly accepted \$1,000 and three watches from a Japanese magazine that had been granted an interview with Mrs. Reagan. During his government service, he allegedly continued to have contact with his former clients at the same time he was receiving funds for the sale of his consulting business.

-Joseph W. Canzeri, Executive Assistant, to White House Deputy Chief of Staff Deaver, accepted below market loans for his \$380,000 Georgetown home. In addition, he allegedly double-billed his travel expenses to the White House and the Republican National Committee.

-Gerald P. Carmen, Administrator of the General Services Administration, allegedly failed to list a \$425,000 SBA low-interest loan on his financial disclosure form.

-William J. Casey, Director of the Central Intelligence Agency, allegedly failed to list more than \$250,000 in investments, \$500,000 in liabilities, names of 70 legal clients, four civil suits against him and a number of corporations and foundations on whose boards he served on his financial disclosure forms.

-Guy W. Fiske, Deputy Secretary of Commerce, allegedly was negotiating the sale of the weather satellites to COMSAT at the same time he was negotiating a high level job for himself with the same company.

-William S. Heffelfinger, Assistant Secretary of Energy, was a career civil servant who was accused of falsifying his resume, threatening contractors and federal workers, deceiving federal investigators, destroying government property, violating merit system protection and privacy laws.

- J. Lynn Helms, Administrator of the Federal Aviation Administration, reportedly was involved in a number of questionable business dealings including huge defaults on government loans.
- Max Hugel, CIA Chief of Clandestine Operations, allegedly engaged in fraudulent stock dealings before taking office.
- Michael Karem, Deputy Assistant Secretary of HUD for Multi-family Housing, allegedly gave favored treatment to select developers doing business with HUD.
- Rita Lavelle, EPA Head of Toxic Waste Cleanup, took expensive lunches from firms involved in regulatory matters before EPA. She reportedly showed favoritism to certain companies and privately discussed pending EPA enforcement cases with company officials. She failed to remove herself from all agency actions relating to her former employer, Aerojet General Corporation.
- John McElderry, Denver Regional Director of Health and Human Services, allegedly used his federal position to promote and sell Amway products.
- Clarence M. Pendleton, Jr., Chairman of Civil Rights Commission, is being sued by the San Diego Urban League for "fraud, breach of contract, intent to deceive and defraud, and misuse of funds for personal gain." He misled the Senate Judiciary Committee during his confirmation hearings about \$50,000 he received for expenses on which he paid no taxes.
- Thomas C. Reed, Special Assistant to the President for National Security Affairs, was the subject of a grand jury criminal investigation for possible perjury, falsifying documents, and insider trading stemming from complicated stock dealings and involving windfall profits.
- James W. Sanderson, Advisor to EPA Administrator Burford, participated in sensitive agency decisions at the same time he represented major corporations that benefited from those decisions.
- E.S. Savas, Assistant Secretary of HUD for Policy Development and Research, allegedly took numerous trips - including home and foreign travel - at government expense. He had HUD employees working on government time proofreading and typing his book.
- William French Smith, Attorney General, took impermissible tax write-offs and accepted a \$50,000 severance from a company on whose board of directors he had served.

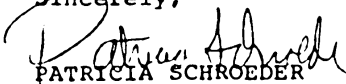
2212

-Paul Thayer, Deputy Secretary of Defense, was charged by the SEC with illegally passing confidential corporate information and profiting off of this information.

I request a response to these questions by February 15, 1984. If you have any questions concerning this request, please call Ellen Battistelli of my staff at 225-4025.

Thank you for your consideration.

Sincerely,


PATRICIA SCHROEDER
Member of Congress

2213

THE WHITE HOUSE

WASHINGTON

August 10, 1983

Dear Jim:

As you requested, the following White House telephone directories have been located and are forwarded for your information:

1. June 1980 Alphabetical Directory of White House personnel. An Organizational Directory for June cannot be located.
2. August 1980 Alphabetical Directory and Organizational Directory of White House personnel.
3. October 1980 Alphabetical Directory and Organizational Directory of White House personnel.

Further, as we discussed, I am providing you the information requested in Chairman Albosta's letter of July 7, 1983, in which he requested data for the Subcommittee in addition to that requested in his letter of June 29, 1983, to the President.

First, enclosed is a copy of my memorandum of July 7, 1983, for Deputy Attorney General Edward C. Schmults, which forwarded a copy of my memorandum of July 1, 1983 to members of the Reagan-Bush campaign staff, conveying the President's request "that anyone with information or documents related to the allegations provide such information to the Office of the Attorney General." Attached to the memorandum to the Deputy Attorney General, and enclosed herewith, are lists both of the recipients of the July 1 memorandum for Reagan-Bush campaign staff and of those former staff members for whom we did not have addresses. As this list contains personal addresses of the recipients, we trust you will safeguard that information in the interest of those individual's rights of privacy.

With respect to the Chairman's request for a list of persons I "interviewed in regard to this matter", as you are aware this office did not conduct an "investigation" into this matter in any traditional, professional sense of that term. However, when this incident was first reported in the media, I and members of the staff at my request did talk to several people in a preliminary effort to locate any relevant documents and to try to determine who may have received such documents and from whom. As you and I have discussed, I am enclosing a list of those individuals with whom I, or others on the staff, had "interviews" regarding this matter. I add a caveat to this listing only because I obviously have talked to many people about this issue, and am grappling with a definitional problem; I can tell you I think the list covers your request.

In response to Mr. Albosta's inquiries concerning Executive Order No. 11222 and 5 C.F.R. 735, as you may know, no formal revisions to either of these have been promulgated to date. However, we have issued a number of materials to the White House Staff providing guidance on standards of conduct and conflicts-of-interest. Although not intended to be all-inclusive, enclosed for your information are copies of relevant pages from the White House Staff Manual dealing with standards of conduct applicable to the staff, the White House Travel Handbook, and copies of general memoranda prepared by our office on ethics regulations and policies, which have been distributed during this Administration to members of the White House staff. It is our understanding that neither a staff manual nor a travel handbook were available during the prior Administration. Also, enclosed are copies of memoranda entitled "Conflicts of Interest -- Presidential Appointees" and "Post-Government Service Employment Restrictions Applicable to Former Senior Government Employees," which are provided to all White House staff paid at the equivalent rates of GS-16 and above.


An additional White House policy of which you should be aware involves the 15% limit on outside earned income established by 5 U.S.C. App. § 210 for officials appointed by the President by and with the advice and consent of the Senate. Though this limit does not apply by law to White House staff positions (because they are not Senate-confirmed posts), you should know that, as a matter of policy in this Administration, we have imposed this 15% limit on outside earned income on members of President Reagan's White House staff.

2215

I realize you have an outstanding request for the "logs" of visitors to Camp David, Md. during the period of final preparations for the "Debate Book" by the Carter Administration. I am working on this request, but find a response is more complicated with other matters than we might imagine (due, primarily to the "secure" nature of the facility). I will continue to explore this request, but respectfully suggest that this information may be more readily available by discussions with the Carter Administration people at those meetings.

Please let me know if you have any questions regarding any of the above; I trust you will also let me know if I can be of further assistance in resolving your inquiry as soon as possible.

My best,


Fred F. Fielding
Counsel to the President

James Hamilton, Esquire
Ginsburg, Feldman and Bress
1700 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

2216

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
Washington, D.C. 20503

February 16, 1984

FEB 16 1984

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This responds to your February 1, 1984 letter concerning the Subcommittee on Human Resources' review of ethics programs in Federal agencies. I appreciate the courtesy your staff has extended me in allowing this late response.

The Standards of Conduct for the Office of Administration are those for the Executive Office of the President and are published in Title 3, Code of Federal Regulations, Part 100. A copy is attached to this letter as you requested. As part of my review of the ethics program in the Office of Administration, we are currently revising our office manual to include additional information and direction concerning OA employees' obligations under the Ethics in Government Act and related statutes and regulations.

Upon employment, each person is informed of his or her obligation to maintain the high standards expected of Government employees. Additional special guidance, when a need arises, is provided by my office on a case-by-case basis. No adverse personnel actions have been taken or warnings issued based on violations of the Standards of Conduct found in 3 C.F.R. Part 100.

Sincerely,

D. Edward Wilson, Jr.
D. Edward Wilson, Jr.
General Counsel

2217

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE N.W.
WASHINGTON, D.C. 20006

FEB 13 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

February 9, 1984

Dear Mr. Chairman:

I am responding to your letter of February 1, 1984, in which you inquire about several aspects of the ethics program for the Council on Environmental Quality (CEQ) and the Office of Environmental Quality (OEQ).

In terms of an education program, I brief incoming members on the Standards of Conduct at the time they begin the financial disclosure process. They also receive a discussion of the applicable standards of conduct so they may read and refer to it at any time.

Incoming staff receive a similar briefing. Additional briefings are scheduled for members and staff when a particular topic seems relevant and timely. For example, because it is an election year, I have scheduled a briefing on the Hatch Act for CEQ and OEQ employees.

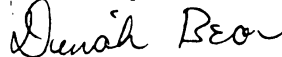
In regards to enforcement of the standards of conduct, the extremely small size of the agency, (currently seven staff, two Members) facilitates awareness of problems or potential problems. All personnel have been instructed and encouraged by Chairman Hill to consult with me regarding any possible issue involving a question of ethics. The Chairman has referred employees to me for enforcement of the standards of conduct, and I attempt to be aggressive in identifying possible violations. No adverse personnel actions or warnings have been issued based on violations of the standards of conduct. Instead, problems are identified at an early stage and resolved either in-house or with the assistance of the Office of Government Ethics and/or the attorneys in the Office of the Counsel to the President.

We have not utilized advisory opinions or rulings other than from the Office of Government Ethics.

I am enclosing a copy of the current regulations issued for the Executive Office of the President, and general guidelines on the Standards of Conduct.

I hope this information is helpful.

Yours truly,



Dinah Bear
General Counsel

Enclosures

2218



The President's Commission on Executive Exchange
THE WHITE HOUSE

February 15, 1984

FEB 16 1984

Dear Mr. Albosta:

I have received your letter of February 1, 1984 concerning the Ethics Program of this Agency as well as your letter of February 1, 1984 to Mr. Lee Cassidy. Mr. Cassidy is my predecessor and the name of the Commission has been changed to the President's Commission on Executive Exchange.

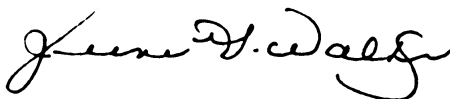
The Standards of Conduct Program utilized by the President's Commission on Executive Exchange for its employees follows the program used by the Office of Personnel Management (OPM), since they provide our administrative support. I have enclosed a copy of OPM's employee Letter No. A-854 dated November 23, 1983. This letter is given to all new employees of the President's Commission on Executive Exchange when they join the organization and is distributed once a year to those employees already on board. As a further precaution, we have asked the Ethics Counsel of OPM to give an oral presentation to the staff on Standards of Conduct and any new guidelines that seem appropriate for our organization. To date, no adverse personnel actions or warnings based on violation of the Standards of Conduct have been issued to employees of this organization.

The President's Commission on Executive Exchange administers a one-year program for senior executives from the private sector and the Federal government. In administering this

Mr. Albosta

program, the Commission insures absolute avoidance of Conflict of Interest or the appearance thereof. This is accomplished by an intensive in-house review prior to all assignments, a review by the employing organization's General Counsel and a further review by the Office of Government Ethics. For your perusal, I have enclosed a copy of the booklet on "Compliance with the Laws on Conflict of Interest".

Cordially,

A handwritten signature in cursive script, appearing to read "June G. Walker".

June G. Walker
Executive Director

Enclosures
Conflict of Interest Booklet
OPM EL No. A-584

The Honorable Don Albosta
U.S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

2220



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 15, 1984

FEB 16 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In response to your letter of February 1, 1984, the Standards of Conduct regulations of the Office of Management and Budget are published in title 5, Code of Federal Regulations, part 1300. These are incorporated into the agency's internal manual of administrative guidance to employees, and are supplemented with additional guidance on certain particular areas of concern. A copy of this material is enclosed.

Each employee of the agency is provided a copy of the Standards of Conduct and has access to the Manual. Additional special guidance, when a need occurs, is communicated to staff in Office Memoranda. Individual counseling is routinely provided by the staff of our Office of the General Counsel. There have been no adverse actions taken by the agency for violations of its Standards of Conduct.

Sincerely,

Candice C. Bryant
Candice C. Bryant
Deputy Associate Director
for Administration

Enclosure

2221

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20508**

February 16, 1984

Honorable Don Albosta
U.S. House of Representatives
Committee on Post Office and Civil
Service

Subcommittee on Human Resources

FEB 21 1984

Dear Congressman Albosta:

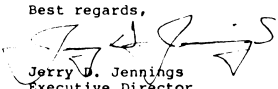
This is in response to your letter dated February 1, 1984 requesting information on the ethics program of the Office of Science and Technology Policy.

Due to the small size of the OSTP staff I am able to personally review the employment application, Confidential Statement of Employment and Financial Interest, and Executive Personnel Financial Disclosure Reports submitted by our applicants. If any questions arise, they are most often resolved prior to the offer of employment. Upon reporting for duty each employee is made aware of their responsibilities under the general Standards of Conduct through a briefing provided by the security officer or myself, and through the issuance of a copy of the OSTP Guidelines on Standards of Conduct which is given to new employees. Particular emphasis is given to 3 CFR 100.735-1 thru 735-27 as this covers the Executive Office of the President Standards of Conduct.

The OSTP has taken no adverse actions or issued any warnings based on violations of the Standards of Conduct. This is due in part to the thorough pre-employment screening that all our applicants are subjected to prior to being approved for employment. Because of the access of our staff to highly classified information and intelligence this process includes a FBI full field background investigation which is up-dated every three years. If the investigation identifies any questionable activity or reflects unfavorably on the character, integrity or trustworthiness of the subject of the investigation, the issuance or reissuance of their clearance will be delayed and could be possibly even denied. An active clearance with the office is of course a condition of employment. The White House Counsel's office provides valuable support and has issued guidance, on numerous conduct issues, which is available in the White House Manual.

I trust this information will be helpful to your review. Please don't hesitate to contact us again if we can be of any further assistance.

Best regards,


Jerry U. Jennings
Executive Director

Enclosure

2222



United States
Department of
Agriculture

Office of
The Secretary

Office of
Personnel

Washington
D.C. 20250

886 91 83J

FEB 14 1984

Honorable Don Albosta
Chairman, Committee on Post Office and Civil Service;
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Chairman Albosta:

This is in reply to your letter of February 1, 1984, concerning the ethics program at the Department of Agriculture. Answers to your specific questions are provided below.

In the area of education, this office directly provides training to incoming Schedule C, SES and Executive Level personnel, during transition years, on the USDA standards of conduct. This training takes a class lecture format usually lasting one to two hours. Additionally, we are currently in the process of making more informal "one-on-one" training available on request to high ranking personnel which will cover significant questions in the conduct and responsibilities field.

Individual "agency" level personnel offices within the Department (there are some 18 of these) have been delegated responsibility for educational programs involving the specific employees they service. Among other things, it is felt that this gives our agencies an opportunity to tailor such training to the specific needs and concerns of their own personnel. The Department monitors these efforts and for your use we are enclosing the 1983 training reports on hand which should give your staff a good idea of the individual agency activity in this area. Further, it should be noted that this office provides an annual training class to the agency personnelists responsible for administering the ethics programs within their areas, in order to assist them in remaining current in areas such as standards of conduct, financial disclosure and related subjects.

As with training, adverse actions are dealt with principally at the agency level with certain oversight responsibilities exercised by this office. Currently, no statistical reporting system exists which would enable us to give you a full breakdown of exactly what adverse actions were taken by offense, penalty, date and the like, going back to 1979. However, in the hope that it will be of some value to your study, we have manually reviewed our records concerning the more serious actions taken (suspensions of more than 14 days to termination) for the past two fiscal years. This review showed that approximately 134 conduct related adverse actions ranging from suspension for more than 14 days to termination were taken in fiscal year 1983, and approximately 108 such actions were taken in fiscal year 1982. As a further explanation of the types of adverse action penalties taken by this Department, we are enclosing a copy of our penalties guide for your use.

In response to your third inquiry, we have enclosed a copy of our Appendix I, Employee Responsibilities and Conduct Handbook, which contains USDA's conduct regulations. A copy of the handbook goes to all Department employees as they begin employment, whenever it is updated (as in 1982), and on request at other times. Selected portions of these regulations are further highlighted in a semi-annual reminder sent to all employees, and each employee at the time of his or her annual rating, certifies that they have read the Appendix and have had any questions about it satisfactorily answered.

With respect to regulatory advisory opinions, in addition to the Office of Government Ethics, we routinely use Comptroller General decisions and Office of Personnel Management guidance. Additional, specific guidance is occasionally sought from agencies within whose purview a particular regulation falls -- such as the Department of State on foreign gifts and the Department of Interior on Surface Mining Act questions.

We hope the above information has been of assistance to you.

Sincerely,

A handwritten signature in cursive script, reading "William J. Riley, Jr.", written in dark ink.

WILLIAM J. RILEY, JR.
Director of Personnel

Enclosures

17 FEB 1984



**GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
Washington, D.C. 20515

FEB 24 1984

Dear Mr. Chairman:

This is in response to your letter requesting a summary of certain elements of the ethics program at the Department of Commerce.

Your first question concerns the educational program with regard to the Standards of Conduct. There are two aspects to this program. One is with regard to training provided to employees of the Personnel offices in the various operating units of the Department who are responsible for dealing with financial disclosure reports and questions of conflicts of interest. The second concerns training provided to employees in general.

With respect to the former, this office recently completed a series of approximately one dozen presentations both in the D.C. area and at regional offices around the country at which training was provided to personnel specialists on conflicts of interest and the review of confidential statements of outside employment and financial interests. In addition, this office is available to answer questions in these areas that are presented by personnel specialists.

With respect to training for employees in general, the Department presently has no systematic program. All employees who enter on duty are provided copies of the Department's Standards of Conduct and are required to certify that they have received the materials. Presentations have been made from time to time to the Department's senior staff and to selected groups of employees with the various operating units when requests have come to this office for such guidance. I recognize the desirability of a more systematic training program and have directed that my staff initiate its development. As with the personnel specialists, we are also available to respond to questions regarding conflicts of interest and related matters presented to us by employees throughout the Department.


The Standards of Conduct are enforced through the mechanism of advisory opinions to individuals, their supervisors or their servicing Personnel offices, as issues are presented to this

2225

office for resolution. From time to time, matters are referred to the Inspector General for investigation, and these investigations may reveal violations of the Standards of Conduct that warrant disciplinary action. In the past year, this office has been involved in the review of three adverse actions resulting from violations of the Standards of Conduct. In one, a supervisor was removed from Federal service for, among other matters, using Government time and property and his official position to further a personal financial interest. In a second, a supervisor was demoted to a nonsupervisory position for soliciting loans from subordinates. A third employee was given a ten day suspension for doing outside work for a fee that properly should have been performed as an official activity.

I would be pleased to provide such further information as you may request.

Sincerely,


Marilyn G. Wagner
Assistant General Counsel
for Administration

cc: Gary Davis, Office of
Government Ethics

2226



OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON D.C. 20301

9 FEB 1984

Honorable Don Albosta
Chairman, Committee on
Post Office & Civil Service
U.S. House of Representatives
Washington, D.C. 20515

FEB 10 1984

Dear Mr. Chairman:

This is in reply to your letter of February 1, 1984, requesting information regarding operation of the ethics program of the Office of the Secretary of Defense.

The education of officers and employees begins at the time they enter on duty. Those who are required to file the "Executive Personnel Financial Disclosure Report" (Standard Form 278) are individually briefed regarding this requirement. Each is given an information packet that amplifies the oral briefing and further explains application of the Department's standards of conduct. Each is provided a copy of DoD Directive 5500.7, "Standards of Conduct," and DoD Directive 7700.15, "Reporting Procedures on Defense Related Employment". They are briefed on the Ethics in Government Act and the applicable post employment rules.

Employees below the level of those who file the SF 278 also are briefed at the time of entry on duty, although this is not always done on an individual basis. All officers and employees are advised where they may go for answers to their questions, i.e., to the Standards of Conduct Counselors or to the appropriate attorney in the Office of the General Counsel. Advice is freely provided to those who visit, write, or telephone.

Various internal media are used to publicize the standards of conduct. For example, there are periodic reminders in the personnel newsletter. The annual instruction letter forwarding financial disclosure forms for completion and filing also contains information regarding conflicts of interest. At the time of separation departing officers and employees are given informative handouts detailing the post employment rules.

Enforcement of these standards of conduct regulations is a responsibility of each member of the Department. Anyone having any information regarding a violation is required to report it to someone in a position to initiate the appropriate investigation.

This may be the supervisor, a standards of conduct counselor, legal counselor, or member of the Inspector General's staff. We have not compiled statistics regarding enforcement actions that have been taken or warnings issued. Responsibility for corrective actions is delegated along supervisory channels and there is no requirement for tabulating statistics in this area.

The review of financial disclosure reports is an important element in the enforcement program. First, the filing requirement is a reminder to the individual officer or employee of his or her legal obligation to avoid acting, in an official capacity, on any matter in which the individual has a financial interest. Second, transmittal of the form alerts supervisors to the interests of subordinates and may be the basis for corrective action. For example, potential conflicts may be avoided through disqualification, divestiture, establishment of a suitable trust, change in duties, or resignation. Third, the forms are reviewed by the Deputy Standards of Conduct Counselor who performs necessary follow-up review with the individual or supervisor, to insure that any required remedial actions are taken. In addition, the reporting individual is alerted when any of his or her investments or other interests are with DoD contractors. This is a reminder to the reporting individual that primary responsibility for compliance is with that person and that continual vigilance is necessary to avoid problems before they arise.

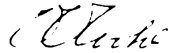
Persons required to file the SF 278 are specified by the Ethics in Government Act and implementing regulations. The filing of the abbreviated financial form (pursuant to Executive Order 11222) is a matter of some discretion. As new positions are established, and thereafter on an annual basis, position descriptions are reviewed by both managers and Position Classification Specialists to insure that all who should file this financial form are identified and notified that they are subject to its requirement.

It should be noted that this Department has limited enforcement authority, particularly with respect to the post employment rules. After separation, the former officer or employee is no longer subject to DoD regulations. Enforcement becomes the responsibility of the Federal Bureau of Investigation or other appropriate agency. Of course, this Department supports these efforts in several ways, mainly by educating personnel to the post employment rules. This has the dual benefit of lessening the likelihood that they will violate the rules when they leave and, in addition, enables them, while employees, to recognize and act on violations committed by others. Information on persons violating post employment rules is most likely to originate with a current employee who has been approached by a former co-worker.

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As you requested, I have enclosed a copy of the appropriate regulations (DoD Directive 5500.7, "Standards of Conduct;" DoD Directive 7700.15, "Reporting Procedures on Defense Related Employment;" Personnel Operating Instruction No. 5; and Administrative Instruction No. 52.) These contain all of our standards of conduct guidelines. Finally, we do not have a system of advisory opinions.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. O. Cooke".

D. O. Cooke
Designated Agency Ethics Official

Enclosures

2229



DEPARTMENT OF THE AIR FORCE
WASHINGTON 20330

OFFICE OF THE GENERAL COUNSEL

27 FEB 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Chairman:

This is in response to your letter of February 1, 1984, regarding standards of conduct, guidelines and enforcement.

The basic directive within the Department of Defense (DOD) concerning ethics and standards of conduct is DOD Directive 5500.7, January 15, 1977 (Attachment 1). The Air Force has implemented that directive in Air Force Regulation (AFR) 30-30, dated June 21, 1983 (Attachment 2). This regulation entitled "Standards of Conduct" sets out Air Force policy with regard to both conflicts of interest and certain specific prohibitions on conduct. It is applicable to both active duty military personnel and Air Force civilian employees; certain of its prohibitions apply to retired and former personnel as well.

The Air Force educational program on standards of conduct is set out in paragraph 12 of AFR 30-30. Essentially, new civilian employees and military officers are briefed on the standards of conduct as a part of their orientation briefing on initial employment or entry on active duty. Enlisted military personnel are briefed on the standards of conduct during their basic military training. Appropriate continuing education for all personnel is provided at least twice a year. Prospective military retirees are briefed on the particular prohibitions applicable to them shortly before retirement. At that time, the prospective retiree is provided with a handbook or other materials containing a synopsis and discussion of the applicable prohibitions. An example of one such pamphlet is included as Attachment 3. AFR 30-30 is readily available to all personnel; persons desiring an individual copy are furnished one.

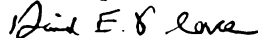
Enforcement of the standards of conduct varies depending on whether military or civilian personnel are involved. As aids to enforcement, all personnel with certain grant, procurement, or audit responsibilities are required annually to complete DD Form 1555, Confidential Statement of Affiliations and Financial Interests. In addition, general officers and certain senior civilians are required at least annually to complete SF 278, Executive Personnel Financial Disclosure Report. The Office of the General Counsel and the Office of The Judge Advocate General have the responsibility for reviewing and certifying these forms.

Military personnel who violate the provisions of AFR 30-30 may be subject to disciplinary action, either administrative or under the Uniform Code of Military Justice. Civilian personnel who violate the regulation are subject to the full panoply of disciplinary actions available against federal employees, up to and including removal. The Air Force and DOD actively encourage personnel to bring suspected violations of the standards of conduct to the attention of designated officials. A "hot-line" has been set up for such persons to report violations, anonymously if necessary. The Air Force is serious about enforcement of its standards of conduct and has attempted to give them the widest possible publicity.

As stated above, enclosed with this letter are copies of AFR 30-30 and DOD Directive 5500.7. Advisory opinions on questions concerning the standards of conduct are collected in the Civil Law Opinions of the Judge Advocate General, which are broadly disseminated through the Judge Advocate General's Department. In addition, from time to time letters are sent by The Judge Advocate General to Staff Judge Advocates on particular questions of law. Copies of a representative sampling of these are enclosed (Attachment 4).

We trust that the foregoing is responsive to your request and will be of assistance to you.

Sincerely,



David E. Place
General Counsel

4 Attachments

2231



DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, DC 20310

REPLY TO
ATTENTION OF

10 FEB 1984

FEB 15 1984

Mr. Don Albosta, Chairman
Committee on Post Office and
Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

In response to your letter of February 1, 1984, I am providing you with information describing the Army's ethics program.

At present our standards of conduct educational program consists of an initial orientation and semi-annual reminders about applicable regulations. Through this process, employees are made aware of the provisions governing gifts, gratuities and related matters, conflicts of interests, financial disclosure requirements, and post-employment restrictions.

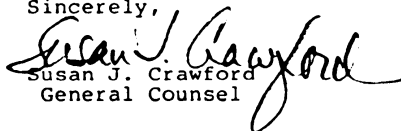
The Army's standards of conduct program is operated on a decentralized basis through the military chain of command. Local commanders are responsible for enforcing standards of conduct laws and regulations. In order not to inhibit the willingness of these local commanders to vigorously enforce these laws and regulations, reports to Army headquarters of actual or possible violations are not required except in significant cases.

Attached are copies of Army Regulation 600-50; the Reference Guide to Prohibited Activities of Military and Former Military Personnel, and the Guide to Restrictions on Conflicts of Interest and Other Financially - Related Activities of Present and Former Army Civilian Personnel.

Legal advice concerning standards of conduct matters is provided orally and in writing at all levels of the Army. Consequently, the Army does not utilize any formal, centralized system of advisory opinions or rulings of the type issued by the Office of Government Ethics.

Thank you for this opportunity to inform you about our standards of conduct program.

Sincerely,


Susan J. Crawford
General Counsel

Attachments



GENERAL COUNSEL OF THE NAVY
WASHINGTON, D.C. 20350

MAR 15 1984

March 7, 1984

The Honorable Don Albosta
House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

This is in reply to your letter of February 1, 1984 in which you requested that we summarize certain elements of the Department of the Navy's ethics program.

Enclosed is a copy of Secretary of the Navy Instruction 5370.2G, our current regulation on Standards of Conduct, along with a draft of the proposed revision which is nearing completion.

In accordance with paragraph 10. of the current instruction, all personnel entering employment in the Department of the Navy are required to be provided an initial briefing on the Standards of Conduct. In addition, pursuant to paragraph 8.c., all personnel are required to be briefed semi-annually on the Standards. This training is accomplished by lectures and films. Employees preparing to leave the Department are individually counselled concerning the legal restrictions on their post employment activities. Presently, the Office of the Deputy Chief of Naval Operations for Manpower, Personnel, and Training is engaged in an extensive effort to develop a comprehensive Standards of Conduct training program for the Navy tailored to the various occupational levels and functions.

The Standards of Conduct are enforced by court-martial and administrative action with respect to military personnel and adverse personnel action for civilian personnel. These actions are taken at the command and activity level and we do not maintain a list of them. However, for calendar year 1982 we collected statistics for the Office of Government Ethics regarding administrative actions taken and reported the following:

No. of actions involving 18 U.S.C. §207	<u>13</u>	(estimate)
No. of actions involving 18 U.S.C.		
§§202-209 other than 18 U.S.C. §207	<u>15</u>	(estimate)
No. of actions on standards of conduct		
violations under Executive Order 11222,		
other than 18 U.S.C. §§202-209	<u>22</u>	(estimate)

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Written and oral opinions on the Standards of Conduct are provided by both the Office of General Counsel and the Office of the Judge Advocate General as questions arise. Each office has a senior attorney who is primarily dedicated to the Navy's ethics program. Significant opinions are promulgated Navy-wide.

Please advise me if I can provide further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Walter Skallerup, Jr.", written in dark ink.

Walter T. Skallerup, Jr.

Enclosures



DEFENSE COMMUNICATIONS AGENCY
WASHINGTON, D. C. 20305

IN REPLY
REFER TO 105

8 February 1984

Honorable Don Albosta
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Congressman Albosta:

This is in reply to your letter of February 1, 1984 wherein you requested information regarding the Standards of Conduct as it relates to the Defense Communications Agency (DCA).

Transmitted herewith is a copy of DCA Instruction 220-50-1, Standards of Conduct, dated 16 June 1977, which implements the Department of Defense Directive on this subject, a copy of which is attached to the DCA Instruction. The DoD Directive, of course, implements 5 CFR 735, "Employee Responsibilities and Conduct".

Regarding DCA's educational program, the office of the Deputy Director, Personnel and Administrative Directorate, DCA, assures that all DCA personnel are given a copy of our implementing regulations and a briefing on the Standards of Conduct preceding employment or assumption of duties. Each individual receiving such briefing attests, in writing, that he has read the regulations and that he understands the requirements imposed. Also, the Deputy, General Counsel, gives lectures on the subject matter to groups such as Contracting Officer's Representatives, personnel whose responsibilities require the exercise of judgment related to a decision which might have an economic impact on the interests of a non-Federal entity, and those individuals who would have occasion to interface with Government Contractors and Private Industry. Additionally, a notice is published in our DCA Bulletin, approximately every six months, reminding all DCA employees of their duty to comply with the required Standards of Conduct. Also the Chief, Contract Management Division, DCA, transmits a copy of the DCA Instruction to the principal officer of each contractor doing significant business with DCA, together with a request that the policies stated therein are brought to the attention of the appropriate contractor personnel.

As required by the Regulations, certain personnel are required to submit annual Statements of Affiliations and Financial Interests, DD Form 1555. Our Instruction gives guidance as to identifying who should file and assuring that the position description of each DCA applicable position includes a Statement that the incumbent of the position must file the DD Form 1555. Each form is first reviewed by an appropriate official and then submitted to my office for review by me or my deputy and then kept on file in my office. It is at this point that any determination that a conflict or apparent conflict of interest is made. If it appears that there might be a possible Standards of Conduct violation, the Agency would promptly resolve the matter by requiring divestiture of conflicting interests, disqualification for particular assignments, changes in assigned duties, termination, or other appropriate action, as provided by statute or administration procedures.

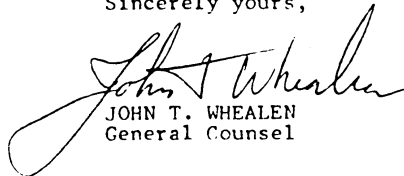
My office is responsible for providing advice and assistance to DCA and DCA personnel on all questions arising from the execution, interpretation and implementation of the Standards of Conduct. We receive reports of any violation or suspected violation of the Standards of Conduct. Any disciplinary action taken would be in accordance with established personnel procedures. For your information, since the implementation of our Instruction, a violation of the Standards of Conduct has not been the basis of an adverse personnel action in DCA.

Although I have been designated the Standards of Conduct Counselor for DCA, I have issued no written advisory opinions or rulings in these matters. However, I have on several occasions required divestiture of certain financial interests of DCA employees, and have caused a change of duties of some employees. No written record was made of these actions.

In addition to the office of Government Ethics, I have on occasion utilized the service of the Office of the General Counsel, Department of Defense.

I trust the foregoing is responsive to your request. If you need more information or desire further clarification please feel free to phone me or my deputy, Mr. Lucero, at 692-2770.

Sincerely yours,



JOHN T. WHEALEN
General Counsel



DEFENSE LEGAL SERVICES

GENERAL COUNSEL
DEFENSE CONTRACT AUDIT AGENCY
CAMERON STATION
ALEXANDRIA, VA. 22314

9 February 1984

DL

Hon. Don Albosta
Chairman, Committee on Post Office and Civil Service
Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Congressman Albosta:

In your letter of 1 February 1984, you requested information about the ethics program of the Defense Contract Audit Agency. The following is responsive to your inquiry.

The Defense Contract Audit Agency is a decentralized organization with approximately 3,700 employees in 422 locations. Mass training is not feasible. Accordingly, our emphasis is on individual familiarity with the Standards of Conduct rules. We insure this by requiring each employee to review the Agency's regulation upon employment, and twice each year thereafter, and to certify in writing his or her understanding and compliance. Employees are authorized to communicate directly with the General Counsel's office for interpretation of the rules. During several courses offered by the Defense Contract Audit Institute, including the basic orientation course, students are alerted to the Agency's Standards of Conduct. Additionally, occasional articles dealing with specific ethics problems are prepared for DCAA internal publications. Employees also have the opportunity to participate in training presented by the Office of Government Ethics periodically throughout the country.

Enforcement of Standards of Conduct within DCAA is tailored to the decentralized nature of the Agency. In accordance with Department of Defense regulations, all auditors in pay grades GS-13 and above and all other employees whose decisions have significant economic impact on the interests of any non-Federal entity must submit annual financial interest statements. These statements are reviewed by a Deputy Standards of Conduct Counselor in the Office of the General Counsel. This attorney directs immediate action to resolve any potential ethical violation. Employees are encouraged to consult with the Ethics official or a Deputy Standards of Conduct Counselor whenever they need an advance decision on a future course of action. These consultations are confidential and our employees have not been reluctant to use them. Most potential ethical violations never develop because of this procedure. We also provide advisory services to former employees to assist them in complying with the post-employment provisions of the Ethics in Government Act.

In accordance with Public Law 91-121, we collect and evaluate employment information on certain former employees. Although reporting is the responsibility of the former employees, DCAA attempts to locate and remind them of their obligations. The reports are reviewed for possible violations of law. The reports of those former employees who currently are employed by defense contractors which have received \$10,000,000 or more in defense contracts during the previous year are forwarded to the Department of Defense for inclusion in the Department's annual submission to Congress.

Supervisors or other personnel report any suspected violations of the Standards of Conduct rules or statutes to the Agency Ethics Official for resolution. Agency personnel also alert us to possible post-employment violations. Because we work person-to-person with potential offenders, corrective action usually can be taken before a disciplinary situation arises. Since 1978, DCAA has warned one employee and disciplined two employees for engaging in business activities inconsistent with their Governmental positions. The warning also directed a cessation of the offending conduct.

Enclosed are copies of the DCAA Standards of Conduct and Defense Related Employment Reporting regulations and general guidance issued to field organizations. Note that para. G.1 of DCAAR 5500.2 directs employees to seek advisory opinions from the General Counsel.

If you need additional information, please contact Kirk Moberley, Deputy General Counsel and Deputy Standards of Conduct Counselor, at 274-7384.

Sincerely,



JOHN J. QUILL
General Counsel and
Agency Ethics Official

Encls

1. DCAA Reg 5500.2
2. DCAA Reg 7700.1
3. Memo dtd 12 July 78
4. Memo dtd 10 Jan 79
5. Memo dtd 13 July 79



DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20301

U-128/GC

10 FEB 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

This is in reply to your letter of 1 February 1984, regarding the ethics program at the Defense Intelligence Agency.

All new military and civilian personnel assigned to duty with or employed by DIA are required to certify that they have read DIA Regulation 60-6, "Standards of Conduct," 6 July 1977. Furthermore, the heads of major DIA elements are required to ensure that this regulation is brought to the attention of all current employees on a semi-annual basis. Also, the Standards of Conduct are addressed in selected courses given by the Defense Intelligence College, particularly as they may relate to military attaches stationed overseas.

Enclosed is a copy of Defense Intelligence Agency Regulation 60-6 for your information. This regulation is now under revision and will include related subjects that now appear in various other DIA regulations. Also in progress is a DIA-wide study which will hopefully lead to a comprehensive self-inspection checklist for periodic use by all DIA elements; this checklist, of course, will include questions pertaining to the Standards of Conduct.

Compliance with the Standards of Conduct is enforced in a number of ways. In the first place, each DIA employee is subject to a thorough preemployment background investigation and periodic reinvestigation to ensure compliance with DIA's special employment criteria for access to classified and highly sensitive information, which includes maintenance of high standards of character, conduct, and discretion. In cases where an employee falls short of meeting DIA's conditions of employment and ethical standards, appropriate disciplinary or administrative action may be taken. In our opinion, this preemployment screening of employees and the well-known consequences of loss of security clearances have resulted in a body of employees who are very alert to the Standards of Conduct.

Second, inspection for potential violations of the Standards of Conduct is a standard procedure in all DIA Inspector General inspections and includes DIA internal elements as well as Defense Attache Offices worldwide. The procedure starts with a check with the General Counsel, prior to commencement of the inspection, for a list of the positions subject to financial disclosure requirements, to include consultants, and for an assessment of contract administration and methods. During the inspection itself, the

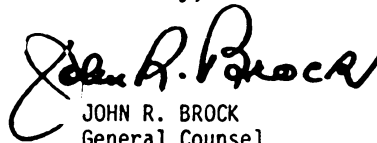
inspectors personally conduct private interviews with each person assigned to the unit. During each interview the person is queried about his/her knowledge of DIAR 60-6 and is specifically asked about the possibility of any impropriety or misconduct, to include such things as unreported involvement in private business, use of insider information for private gain, solicitation or sales to subordinates, and in the case of Defense Attache Offices, illegal currency exchange and black market activity.

Third, employees meeting the criteria established by law or DoD Directive are required to submit financial disclosure statements. The General Counsel personally reviews these statements to determine if an actual or potential conflict of interest exists, and will take appropriate action to eliminate the conflict if necessary.

Lastly, the Office of the General Counsel provides formal and informal opinions upon request regarding the Standards of Conduct and their applicability to particular situations. Fortunately, the great majority of DIA employees are located in the Washington, D.C., area, and in consequence most of the potential issues are resolved through telephone inquiries or in-person discussions. Having been the DIA General Counsel for more than 9 years, it has been our experience that employees have complied with the advice of the General Counsel or the guidance this office has obtained from the DoD General Counsel or the Office of Government Ethics. Should there be any dispute or disagreement in the future, there is no doubt that the General Counsel would receive the vigorous support of the DIA Command Element in resolving the problem.

This office is pleased to answer any further questions you may have on this matter or provide any additional information you may desire.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Brock". The signature is stylized with a large, sweeping initial "J" and a cursive "B".

JOHN R. BROCK
General Counsel

1 Enclosure a/s

2240



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
CAMERON STATION
ALEXANDRIA, VIRGINIA 22314

FEB 10 1984

9 FEB 1984

IN REPLY
REFER TO DLA-G

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter dated 1 February 1984, requesting a summary of certain elements of the Defense Logistics Agency's (DLA) Standards of Conduct Program.

With respect to our efforts to educate and train all employees on standards of conduct matters, all civilian and military personnel are furnished a copy of DLA Regulation (DLAR) 5500.1 entitled "Standards of Conduct," upon employment or entry on duty with the Agency. Additionally, DLAR 5500.1 requires that all employees be reminded at least semiannually of their duty to comply with the required standards of conduct. Implementation of this requirement may be accomplished in a number of ways. This office has recently prepared a videotape on our standards of conduct and fraud awareness program that has been made available to all of our field activities as well as employees at the Headquarters. Many activities have elected to show it to employees in conjunction with a lecture or briefing where they are encouraged to ask questions. Some have developed special pamphlets that highlight the important parts of DLAR 5500.1 and point out potential problems that are peculiar to that activity. In any event, all employees are encouraged to seek advice and assistance from their local DLA Counsel's office if they have questions or require any clarification of the regulation.

The General Counsel, DLA is the Designated Agency Ethics Official and DLA Standards of Conduct Counselor and as such, is primarily responsible for enforcement of standards of conduct statutes and regulations. As prescribed in DLAR 5500.1, the General Counsel coordinates proper and final disposition of all conflicts of interest problems not resolved by the supervisor or Deputy Counselor (Chief Counsel at each DLA field activity) and reviews reports of any suspected or actual violations and assures that proper action has been taken. Depending upon the nature and severity of the violation, there are a number of actions that may be taken. Administratively, the actions run

from reprimand and counseling for a minor violation to removal from the agency for a more serious infraction. In addition, some cases are referred to the Department of Justice for criminal prosecution if appropriate.]

In 1983, the agency reported 80 standards of conduct cases opened and 104 cases closed. As of 1 February 1984 there were 99 cases pending. The types of cases involved include the filing of false claims, violations of the conflict of interest and bribery and kickback statutes.

For your information, a copy of DLAR 5500.1 is enclosed. In addition, we have included a copy of a pamphlet prepared by one of our field activities concerning standards of conduct. If we can be further assistance, please contact Carolyn J. Perry of this office. She can be reached at (202) 274-6851.

Sincerely,

A handwritten signature in cursive script, reading "William H. Carroll".

WILLIAM H. CARROLL

Acting General Counsel, DLA

Encl

2242



DEFENSE MAPPING AGENCY
BUILDING 56 U.S. NAVAL OBSERVATORY
WASHINGTON D.C. 20305

15 FEB 1984

FEB 15 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Albosta:

I refer to your letter of 1 February 1984, wherein you have requested certain information concerning the Defense Mapping Agency's (DMA) Standards of Conduct program.

In response to your specific requests for documents the following is attached:

- a. DMA Instruction 5500.1, subject: "Standards of Conduct" dated 29 January 1982. (Enclosure 1)
- b. Semiannual reminder distributed to employees. (Enclosure 2)
- c. Guidance concerning gratuities and airline travel clubs. (Enclosure 3)
- d. Guidance to persons leaving federal service concerning post-employment restrictions. (Enclosure 4)
- e. Handout provided employees viewing the DMA videotape presentation on the Standards of Conduct. (Enclosure 5)

DMA Instruction 5500.1 identified above is currently being revised by this Office and will be republished within two months.

Our educational program begins when employees are first hired. They are provided a personal copy of DMA Instruction 5500.1 (Enclosure 1) and are required to certify that they have read and understand the contents. Further, our employees are reminded of the basic Standards of Conduct by semiannual notifications distributed to all (Enclosure 2). Additionally, as the need arises, guidance on new policies or potential problems are distributed on an ad hoc basis (Enclosure 3). Employees are encouraged to seek counseling and advice about any matters they believe involve a Standards of Conduct issue or problem. Finally, our employees are provided with a copy of the post-employment regulations upon leaving government service and are reminded that they may seek advice at any time from any Standards of Conduct Counselor should they have questions concerning the propriety of any actions involving the government (Enclosure 4).

As a part of our continuing efforts to emphasize the importance of understanding the Standards of Conduct program, we have just begun distribution of a videotape which contains short vignettes demonstrating a principle of the Standards of Conduct followed by explanatory comments. A Standards of Conduct guide will be distributed to all who view the videotape (Enclosure 5) and an attorney will be in attendance at the showings to answer any questions that may be raised and to guide any discussions. Additionally, the Defense Criminal Investigative Service has also volunteered to send an agent to augment the video presentation. This tape will be shown to all current agency personnel, military and civilian and to all new employees as part of their orientation program upon beginning employment with DMA.

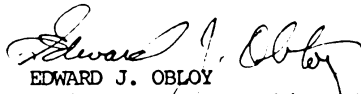
The Standards of Conduct are enforced through referral to the appropriate criminal investigative agency or through normal disciplinary channels when the facts so warrant. Generally, allegations are investigated through the DMA Office of the Inspector General, or by appointment of an investigating officer pursuant to DMA Instructions. The reports are reviewed by a member of the Office of the General Counsel and final action is taken by the appropriate command authority.

We have issued no formal warnings other than reminder notices accompanying financial disclosure forms that a person's holdings may place them in a conflict situation if their current work assignment changes. One adverse personnel action has been taken based solely on a violation of the Standards of Conduct. However, if one were to view falsification of employment or security applications as a Standards of Conduct violation, that number would increase significantly.

Finally, while we do use the advisory opinions of the Office of Government Ethics, we supplement them by informal contact with other ethics offices and legal research. Within DMA, all written opinions are disseminated to members of the Office of General Counsel, and where appropriate, to managers and employees.

It has been a pleasure responding to your inquiry and if we may be of any further assistance, please do not hesitate to contact the undersigned at 653-1406.

Sincerely,


EDWARD J. OBLOY
Designated Agency Ethics Official

5 Enclosures a/s

2244



DEFENSE NUCLEAR AGENCY
WASHINGTON, D.C. 20305

GC

FEB 17 1984

Honorable Don Albosta
Chairman,
Committee on Post Office and Civil Service
Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to respond to your request of 1 February 1984 for a summary of the elements of this Agency's Standards of Conduct and ethics programs.

This Agency adheres to the established policy and published regulations of the Department of Defense as well as to the Code of Federal Regulations, the Office of Government Ethics guidelines and applicable statutes and Executive Orders. I serve as the Designated Agency Ethics Official and the Standards of Conduct Officer for the Headquarters as well as for two field elements. In addition, I utilize a Paralegal within the Headquarters and designated individuals in the field elements to assist in administering and implementing the applicable laws and regulations. Attached at Enclosure 1 is a copy DNA Instruction 5500.7C, 2 July 1981, Standards of Conduct.

The educational program for Agency employees begins when an employee reports for duty. (See paragraph 17.b. of Enclosure 1.) New employees are furnished a copy of the Agency Standards of Conduct Instruction with a certification form to be completed and forwarded to this office. The form serves a three-fold purpose. First, the individual is made aware of applicable laws and regulations; second, the individual is reminded of his or her personal responsibility for adherence, and third, a discussion is initiated with the supervisor to determine whether a requirement exists for filing a financial statement, dependent upon grade or rank, as well as assigned duties. At the time of publication of the current Instruction, distribution was made to each individual within all elements of the Agency by a point of contact within each separate office or directorate. This distribution greatly increased the awareness of Agency personnel regarding the applicable laws.

Early review and continuing annual review of financial interests has resulted in resolution of potential conflict of interests which could have resulted in actual problems. The review enables the supervisor and me to take precautionary actions to prevent either direct or indirect conflicts of interests. If a conflict or even potential conflict exists, individuals must comply with paragraph 9.d. of the Instruction and disqualify themselves from all official actions that would affect their financial interests or divest of such interests if disqualification would jeopardize assigned duties. Even if an individual's listed investments do not give rise to an actual conflict or the appearance of a conflict, reminder letters are sent as appropriate. Representative letters are attached as Enclosure 2 and 3.

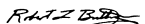
In accordance with paragraph 17.c. of the Instruction, the head of each directorate or separate office must certify to this office annually, that subordinate personnel have reviewed the Instruction and are aware of personal responsibility. The required action serves as a reminder to the heads of offices to monitor standards of conduct awareness. Further enhancement of awareness is accomplished by published reminders in Weekly Bulletins and frequent announcements and discussions in staff meetings. In addition, letters dealing with various standards of conduct related activities have been distributed Agency-wide. Enclosures 4, 5, and 6 are samples of such letters.

DNA employees are very sensitive to the ethics and Standards of Conduct requirements and frequently seek my advice on specific issues. My office maintains an open door policy for any individual to discuss any aspect of Standards of Conduct. When unsolicited items of greater than nominal value, such as appointment calendars, have been received, they have been returned to the sender and invitations to contractor sponsored parties have been declined. I believe that we maintain a high level of awareness and compliance.

There have been no adverse personnel actions taken based on Standards of Conduct violations. When it came to our attention that some employees had improperly accepted gratuities in connection with official travel (e.g. Teddy Bears issued by car rental companies) our Inspector General conducted a thorough investigation. The individuals concerned were counseled by their immediate supervisors and required to turn the gratuities in to appropriate authorities.

If I can provide any additional information on this matter, please call me or Jean Dixon, 325-7681.

Sincerely,



ROBERT L. BRITTIGAN
General Counsel

Enclosures:
as stated



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

FEB 21 1984

FEB 22 1984

Honorable Don Albosta
Committee on Post Office and Civil Service
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Albosta,

This is in response to your letter of February 1, 1984 to me, seeking certain summarized information about the ethics program in this Department, as part of your Committee's government-wide review of such programs.

The process and content of our educational program for officials and employees in regard to the Standards of Conduct

The process commences with the transmittal to each new employee of a copy of the Standards of Conduct and an acknowledgement of receipt by the employee. See Attachment "A". The process continues with periodic orientations by the Designated Agency Ethics Official, in coordination with the Inspector General. See Attachment B. We also arrange for special presentations by outside experts. For example, the General Counsel of the Office of Personnel Management recently addressed a group of Schedule C's and Senior Executive Service staff on the Hatch Act. The process also includes the distribution of materials to departing employees, particularly those to whom post-employment prohibitions may be a problem. See Attachment C.

The content of the educational program in addition to the Standards of Conduct (which were adopted from HEW Regulations when this Department was created in 1980 and which are in the process of being updated) includes:

- a) A summary of the Standards (Attachment D);
- b) Special guidance to departing employees, referred to above (Attachment C); and
- c) Video tapes prepared by the Office of Government Ethics, Public Sector Integrity Training Program.

Process used to enforce the Standards of Conduct.

One of the principal methods used to enforce the Standards of Conduct is the Hotline Complaint process established by the Inspector General. Employees are periodically reminded about the Hotline. See Attachment E. When investigations and other referral actions resulting from such complaints result in determinations that the Standards have been violated, adverse personnel actions do occur; however, there is no central listing of adverse actions taken or warnings issued. Another enforcement process entails the monitoring, by the Ethics Official and the Personnel Resource Management Service, of the annual reporting requirements on outside activities and financial interests of employees.

We are in the process of designing a system for distributing advisory opinions issued by the Office of General Counsel related to the Standards of Conduct. We will inform you when that system has been designed.

Please let me know if you wish any additional information.

Sincerely

Richard S. Werksman
Designated Agency Ethics Official



Department of Energy
Washington, D.C. 20585

FEB 27 1984

FEB 27 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

This is in response to your letter of February 1, 1984, requesting information regarding the ethics program of the Department of Energy (DOE), particularly with respect to education of employees and enforcement processes.

The DOE ethics program is centered in the Office of the Assistant General Counsel for Standards of Conduct (SC). The Office of Personnel provides support services.

To ensure that all DOE employees have information regarding standards of conduct, each new employee of the Department receives a copy of the DOE Conduct of Employees regulations (10 C.F.R. Part 1010) from the Office of Personnel. In addition, the Assistant General Counsel for Standards of Conduct provides group and individual sessions for Presidential appointees and other high level employees of the Department upon commencement and termination of their employment with the Department. SC attorneys provide briefings on conflict of interest rules in periodic training sessions for new DOE supervisors arranged by the Office of Personnel. They also provide individual advice to DOE employees upon request.

SC has compiled a notebook that provides guidance on standards of conduct issues that are of most frequent concern to incumbent employees as they carry out their day-to-day responsibilities. Currently, the notebook is disseminated in its entirety to Presidential appointees. We plan to begin distribution to current supervisors and all new employees later this year. A special memorandum regarding post-employment restrictions (a copy of which is in the notebook) is distributed to all departing employees, and, from time to time, notices on ethics questions of general interest are circulated throughout the Department.

The process of enforcement of standards of conduct depends on the nature of the violation. An allegation of transgression of a criminal statute is required to be directed to the DOE Inspector General for investigation. If a legal determination is required, the Inspector General consults with the Assistant General Counsel for Standards of Conduct. Upon a determination that there appears to have been a criminal violation, the Inspector General refers the matter to the appropriate U.S. Attorney. The decision with respect to prosecution lies within the discretion of the U.S. Attorney. Administrative sanctions may also be imposed as described below.

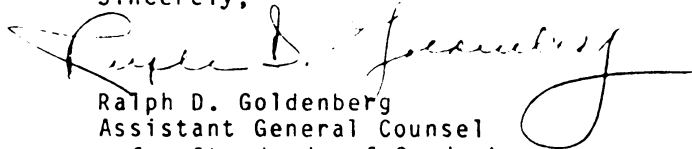
Standards of conduct violations that do not involve criminal statutes are generally referred to the transgressing employee's immediate supervisor or to higher level management officials. Enforcement is handled by them through processes described by DOE Order 3750.1, on work force discipline, a copy of which is enclosed. Disciplinary actions that may be imposed for improper conduct are listed in the Order. Individuals involved in a disciplinary action consult with the Office of General Counsel, the Inspector General, or the Office of Personnel as the need arises. Of course, supervisors often act informally in consultation with their employees to avoid potential violations.

A list of disciplinary actions for improper conduct taken by the Department in calendar year 1983, based on information furnished to us by the Office of Personnel, is enclosed. "Performance based" actions are not included in the list.

Also enclosed are copies of the DOE Conduct of Employees regulations and the notebook that is distributed to Presidential appointees. This office maintains a subject matter file on all opinions issued by the office. It is used frequently by SC attorneys in searching for precedents with respect to individual fact situations that have been brought to our attention.

I hope that this information will be helpful to you in the review of ethics programs conducted in Federal agencies.

Sincerely,


Ralph D. Goldenberg
Assistant General Counsel
for Standards of Conduct

Enclosures

cc: David H. Martin, Director
Office of Government Ethics

2250

DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Office of the General Counsel
Washington, D.C. 20201

FEB 10 1984

FEB 13 1984

Honorable Don Albosta
Chairman, Committee on Post Office
and Civil Service
Subcommittee on Human Resources
301 Senate Office Building Annex 1
Washington, D.C. 20540

Dear Chairman Albosta:

I am responding to your letter of February 1, regarding this Department's ethics program.

Each component of the Department provides Standards of Conduct training for its employees. Minimum training requirements are listed in HHS Personnel Instruction 735-1 (Attachment A). The Department has prepared an Instructor's Guide For Conducting Orientation Sessions on the Department's Standards of Conduct (Attachment B) and Standards of Conduct in Brief (Attachment C), which can be used in the training program. Some components develop their own training materials, such as the SSA Standards of Conduct Instructor's Guide (Attachment D). In addition I conduct annual workshops for Deputy Ethics Counselors within the Department and our Regional Personnel Offices have presented training sessions jointly with Office of Government Ethics staff. The Office of Government Ethics will be conducting a training session devoted entirely to this Department later this month for employees of my office, deputy ethics counselors, personnel offices, and Inspector General personnel.

I am attaching a copy of the HHS Standards of Conduct (Attachment E). Department managers and Office of Inspector General staff investigate possible violations of these regulations. Warnings are issued and adverse actions are brought where necessary. The Department does not maintain any centralized listings of adverse personnel actions taken and warnings issued based on violations of the Standards of Conduct. However, I am investigating the possibility of retrieving statistics on removals, suspensions and demotions of employees for cause since such actions almost always involve some aspect of the Standards of Conduct. I will notify you when I determine the availability of this information.

Department employees and managers may obtain guidance or advisory opinions on the Standards of Conduct from Assistant General Counsels, Regional Attorneys, deputy ethics counselors and my office. Regional attorneys and deputy ethics counselors are required to submit copies of all written advice to me for possible inclusion in our periodic ethics digest (Attachment F).

2251

Please contact me or Melinda Golub (475-0153) of my office if you need any further information.

Sincerely yours,

Darrel J. Grinstead
Darrel J. Grinstead
Assistant General Counsel
Business and Administrative
Law Division

DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

March 28, 1984

MAR 28 1984

Office of the General Counsel
Washington, D.C. 20201

Honorable Don Albosta
Chairman, Committee on Post
Office and Civil Service
Subcommittee on Human Resources
511 House Office Bldg. Annex 1
Washington, D.C. 20515

MAR 28 1984

MAR 28 1984

Dear Mr. Chairman:

I am writing as a follow-up to my letter of February 10 where I responded to your February 1 letter soliciting information about the HHS ethics program.

Your letter requested a list of adverse actions taken based on violations of the Standards of Conduct. Our Employee Systems Center has informed me that a search of the computerized personnel files indicates that there were 337 removals (including 16 resignations), 511 suspensions and 13 demotions for cause (i.e., for other than performance-based reasons) within the Department during calendar year 1983. As I explained in my previous letter, we can assume that these adverse actions for cause involved a violation of the Standards of Conduct.

Please contact me or Melinda Golub (475-0153) of my office if you have any further questions.

Sincerely yours,

Darrel J. Grinstead
Darrel J. Grinstead
Assistant General Counsel
Business and Administrative
Law Division

2252



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410

OFFICE OF THE GENERAL COUNSEL

February 16, 1984

FEB 21 1984

Honorable Donald J. Albosta
Chairman, Subcommittee on
Human Resources
Committee on Post Office and
Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

We are happy to provide the information you requested concerning the ethics program at the Department of Housing and Urban Development (HUD).

The education program for Headquarters employees at HUD is conducted by the Office of General Counsel. The purpose of the program is to acquaint employees with the provisions of the Department's Standards of Conduct Regulations, 24 C.F.R. Part 0 (Enclosure 1), and any other statutory or regulatory provisions regarding employee conduct or activities. Attorneys in this office keep current employees, as well as prospective and former employees, informed of limitations on outside activities and employment, acceptance of gifts, acquisition of financial interests, involvement in political activities, and post-employment activities. A summary of the relevant restrictions is issued annually to all employees (Enclosure 2). Counseling is provided on an individual basis whenever requested by an employee and a subject matter file of opinion letters is maintained by the Administrative Law Division. In addition, this office periodically issues memoranda on topics of interest to employees or to inform employees of changes in Departmental regulations or policies (Enclosure 3). The Office of General Counsel also collects, reviews, and maintains the financial disclosure reports filed by agency employees. Attorneys and paralegals are available to assist employees in completing these forms on an individual basis.

The ethics education program for field employees is conducted jointly by the Regional Counsel and the Regional Office of Inspector General. The staff of these offices conduct training sessions for all field employees annually. The topics discussed in the sessions are the same as those covered in the employee education program at Headquarters, described above. The Regional Counsel provide additional information to field employees on an individual basis and by memoranda on topics of general applicability.

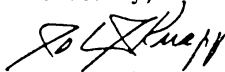
The Department's method of enforcing the Standards of Conduct depends in part upon the nature of the violation that may have occurred. For example, we usually advise employees who have mistakenly acquired a prohibited financial interest simply to divest the conflicting interest. If a more serious violation has occurred, the matter is referred to the Office of Inspector General for investigation. After the investigation is complete, this office in conjunction with the Office of Personnel recommends appropriate remedial action. Of course, the matter is referred to the Justice Department if there is evidence of a criminal violation.

The chart attached to this report lists the nature and number of administrative actions taken against employees in FY 1983 for violations of the Standards of Conduct or other statutory and regulatory provisions relating to ethics (Enclosure 4). We can provide similar statistics for FY 1982 and FY 1981 if necessary. We also include, as an example of our enforcement of our conduct rules, a recent decision of the United States Court of Appeals, Ruby Weston v. Department of Housing and Urban Development, decided December 30, 1983.

We often use the opinions of the Office of Government Ethics. In addition, we have access to the opinions of the Office of Legal Counsel (OLC) at the Department of Justice and occasionally consult with OLC staff on interpretations of the criminal conflict of interest statutes.

If you need further information or assistance from this office to facilitate your review of HUD's ethics program please write me at the above address or call David White, our Assistant General Counsel for Administrative Law, at 755-7137.

Sincerely,



John J. Knapp
General Counsel

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

February 17, 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
511 House Office Building Annex 1
Washington, D.C. 20515

FEB 22 1984

Dear Chairman Albosta:

This letter and the enclosures with it answer your February 1, 1984 request for information about the Department of the Interior ethics and conduct program.

1. "Please explain the process and the content of your educational program for employees and officials in regard to the Standards of Conduct."

The staff of the Department's Designated Agency Ethics Official (DAEO) provides training sessions for ethics counselors, managers and groups of employees. Ethics counselors are employees who have been designated by their bureau or office head to counsel the employees in their offices on the standards of conduct. Ethics counselors are designated at headquarters and at regional and field offices and all employees are notified of who their counselor is at least once every year.

In addition to the formal training provided by the DAEO staff, the Department uses a series of handouts and bulletins to inform employees about particular conduct provisions. Samples are enclosed. Several Bureau and Office heads supplement the training documents available from the Department with specialized guidelines and annual notices to employees.

2. "Please describe the process you use to enforce those Standards of Conduct."

Department regulations on Employee Responsibilities and Conduct implement much more than the requirements of the ethics statutes. Consequently, enforcement of the regulations is accomplished through several processes. Audits and investigations conducted by our Inspector General, divestitures ordered by Bureau heads, administrative actions imposed by management, are all processes used to enforce our Standards of Conduct. These processes are of course in addition to the process of reviewing financial disclosure reports required by the Ethics in Government Act of 1978 or by Executive Order 11222.

3. "List adverse personnel actions taken and warnings issued based on violations of the Standards of Conduct."

The statistics presented in the chart below are limited to "adverse personnel actions" as that terminology is defined by the Federal Personnel Manual. Accordingly, other actions such as recusals, reassignments, written admonishments, counseling letters, resignations in the face of investigation or charges and divestitures are not included in the statistics. Also, the statistics cover virtually every type of conduct described in our agency's Employee Responsibility and Conduct Regulations 43 CFR Part 20. Therefore, the statistics should not be read as relating solely to violations of the Ethics Laws in 18 U.S.C. §§201-209 and E.O. 11222.

Number of Actions Taken Based on Violations of the Standards of Conduct Regulations 43 CFR Part 20*

	Calendar 1981	Calendar 1982	Calendar 1983
Removals	56	60	97
Suspensions 30 days or more	44	23	43
Suspensions less than 30 days	78	126	140
Reprimands	103	131	171
Warnings	54	89	117
Totals	335	429	568

*Statistics are consolidated from reports provided by: Bureau of Land Management, Bureau of Reclamation, Bureau of Mines, Bureau of Indian Affairs, U.S. Geological Survey, U.S. Fish and Wildlife Service, Minerals Management Service, Office of Surface Mining, Office of the Secretary, and Office of the Solicitor.

A copy of our current regulations, and some of our general guidelines are included with this submission. In addition to advisory opinions issued by the Office of Government Ethics we use legal opinions issued by our own Solicitor. The Solicitor's opinions interpret those conflict of interest statutes that are unique to the Department of the Interior.

Sincerely,



Designated Agency Ethics Official

Enclosures



U.S. Department of Justice

March 22, 1984

Washington, D.C. 20530

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
Room 511 House Annex 1
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In response to your letter of February 1, 1984, requesting information of the Justice Department's Ethics Program, the following is provided:

1. Educational Program for Employees and Officials in Regard to the Standards of Conduct.

The Department provides each incoming employee with a package of important information (Tab A), which includes a copy of the Department's Standards of Conduct regulations, a copy of the Department's Standard Schedule of Disciplinary Offenses and Penalties, and a copy of a "fact sheet" summarizing the provisions of the Ethics in Government Act of 1978 and the Department's Standards of Conduct regulations. Each employee is required to sign a statement acknowledging receipt of these issuances.

The Office of Administrative Counsel (OAC) of the Justice Management Division counsels Presidential appointees during the nomination process on subjects related to financial disclosure and Standards of Conduct, as well as legal ethics. In addition, OAC and the Department's Office of Legal Counsel provide advice and counselling for any Department employee who requests it.

The Department includes Standards of Conduct in a number of training courses, such as the Attorney General's Senior Executive Seminars, the Attorney General's Advocacy Institute, and the basic training course for new supervisors. For attorneys, there is a course on legal ethics available in the Department's Legal Education Institute. In addition, we have sponsored training courses, run by the Office of Government Ethics, for individuals who are responsible for reviewing financial disclosure statements. We send several employees to the Office of Government Ethics (OGE) Annual Conferences and regional training by OGE, as well as seminars sponsored by organizations such as the American and Federal Bar Associations.

2. The Process Used to Enforce Standards of Conduct in the Justice Department.

The Department uses administrative actions, as described in 5 CFR § 735.107, to enforce our Standards of Conduct regulations. See also the Standard Schedule of Disciplinary Offenses and Penalties, enclosed at Tab A. Investigations into alleged violation of Standards of Conduct are performed by the Department's Office of Professional Responsibility (OPR) (in accordance with 28 CFR § 0.39a) or by a bureau office of professional responsibility. Allegations of misconduct which would constitute violations of criminal law are also referred to OPR. If the Office determines that prosecution may be warranted, the matter is referred to the Department's Criminal Division.

3. Adverse Personnel Actions Taken and Warnings Issued Based on Violations of Standards of Conduct.

We have no precise figures on the numbers of warnings or administrative actions resulting from violations or suspected violations of Standards of Conduct among the Department's 52,000 employees. Many of these actions would be taken informally; frequently, a violation is avoided when an employee discusses a contemplated activity with his or her supervisor and realizes that the activity may violate ethical standards. However, the Department's OPR reports annually to the Attorney General on its activities, and I am enclosing at Tab B a copy of their latest report covering calendar year 1982. That report shows that in 1982 OPR received 468 complaints, closed 475 investigations, and monitored over 1,300 investigations conducted by the internal inspection units of the Department's components. The report also gives representative examples of the investigations conducted by those internal inspection units and the results of those investigations.

4. The Department of Justice Standards of Conduct and General Guidelines Thereon.

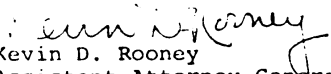
The information package given to new Department of Justice employees, enclosed at Tab A, contains a copy of the Standards of Conduct of the Department and narrative guidance thereon. In addition, I am enclosing at Tab C a memorandum prepared by the Department's Office of Legal Counsel and distributed to all the Department's Offices, Boards, Bureaus and Divisions. That memorandum is a compilation of statutes and regulations applicable to professional standards and ethics of Department of Justice employees and is meant to serve as a helpful checklist for employees who have questions on those issues.

5. Advisory Opinions or Rulings Utilized by the Department.

The Department has no "system" of advisory opinions or rulings on Standards of Conduct. However, employees are free to consult with attorneys in the Office of Administrative Counsel of the Justice Management Division or in the Department's Office of Legal Counsel. Many of the opinions of the Office of Legal Counsel have been published and are available in bound form in the Department's libraries. In addition, the Attorney General signed an order (enclosed at Tab D) on February 7, 1984, establishing a network of Deputy Designated Agency Ethics Officials (DAEO's) in every component of the Department. Our goal is to have a trained Deputy DAEO in each component who will be available to advise employees in his or her component on any ethics issues that arise.

I hope that the above information will be useful to you in conducting your review of ethics programs in Federal agencies. If we can be of any further assistance, please feel free to contact William J. Snider, Administrative Counsel, or Linda Donaghy, Attorney-Advisor, on 633-3452.

Sincerely,


Kevin D. Rooney
Assistant Attorney General
for Administration

4 Enclosures

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U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 7, 1984

FEB 10 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is to acknowledge receipt of the letter of February 1, 1984, to Kevin D. Rooney, Assistant Attorney General, Justice Management Division, received by the Department on February 6, 1984, requesting information in connection with the Subcommittee's review of ethics programs in Federal agencies.

A further response will be forthcoming as soon as possible.

Sincerely,

Robert A. McConnell
Assistant Attorney General

By:

A handwritten signature in dark ink, reading "C. Marshall Cain", is written over the printed name.

C. Marshall Cain
Deputy Assistant Attorney General
Office of Legislative Affairs

U.S. Department of Labor

Office of the Solicitor
Washington, D.C. 20210

MAR 19 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request for certain information regarding the Department of Labor's ethics and conduct regulations.

The Department of Labor's ethics and conduct regulations may be found at 29 CFR, Part 0.735. In order to assure that employees are aware of these regulations they have also been reprinted in the Labor Department's Employee Handbook. The Employee Handbook also contains other materials relating to ethics and conduct. As you requested, we have enclosed copies of these materials. In addition, the Office of the Assistant Secretary for Administration and Management periodically issues employee "Spotlights" that remind employees of the ethics and conduct regulations. A copy of the most recent "Spotlight" is enclosed.

It should be noted that our regulations permit individual Labor Department component agencies to adopt additional standards and procedures applicable to employees of such component agencies. A number of Department of Labor agencies have adopted such supplemental standards. For example, the Mine Safety and Health Administration (MSHA) has special rules restricting employees with regard to interests in mines or mine products, and this Office has issued a directive regulating the outside practice of law on the part of our attorneys. Copies of these supplemental standards as well as supplemental standards adopted by the Employment Standards Administration, the Bureau of Labor Statistics, the Labor-Management Services Administration, and the Inspector General are also enclosed.

In addition to the types of materials discussed above, we have found that it is helpful to undertake additional efforts to make employees aware of the ethics and conduct

rules. From time to time we provide briefing sessions to individual employees as well as to various groups of employees on issues of particular concern to them. We have also provided written materials. In addition, the National Mine Safety and Health Academy has developed a training course for MSHA employees on the standards of conduct. Further, this office has worked with the Office of the Inspector General and the Office of the Assistant Secretary for Administration and Management to develop and test a more generalized ethics training program. In this effort we have received assistance from staff of the Office of Government Ethics. We have also been able to send Department of Labor employees to Office of Government Ethics training programs conducted in Washington and in the regions.

We believe that most employees wish to comply with the ethics and conduct rules. We have also found that individual employee situations tend to vary considerably. We therefore believe that individualized ethics counselling is vital in helping employees avoid violations in advance. We place a high priority on making expert ethics counselling services readily available to employees of this Department. Many of our employees do, in fact, take advantage of this service. Most of the time, advice is given to the employee orally. However, written opinions are prepared in appropriate cases. These written opinions are retained and kept on file so that they are available to our staff in the future to help us maintain consistency in the interpretation of the rules.

It should also be noted that the Department of Labor's regulations require that employees obtain the clearance of the component agency for which they work with respect to outside employment or other outside activities in certain situations. Labor Department component agencies are required to consult with this Office regarding such clearances where appropriate. This clearance requirement is designed to prevent employees from becoming involved in situations that could conflict with their official responsibilities.

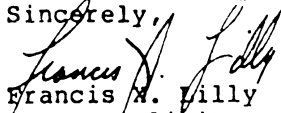
There are, of course, times when situations arise that require investigative expertise. In these situations, we are fortunate to have a close working relationship with the Department's Office of the Inspector General.

It is our practice to refer appropriate cases to the Inspector General's Office and to work with that Office in resolving them. Similarly, the Inspector General's Office has frequently consulted with us on ethics and conduct matters that have come to its attention, either through its employee "Hot Line" or through its other investigative activities.

As your letter indicates, there are occasions in which disciplinary action is appropriate. In this regard, it should be noted that various factors, including violation of the ethics and conduct regulations, may be present in any given disciplinary situation. Department of Labor personnel records indicate that, in Fiscal Year 1983, there were 16 warnings, 7 reprimands, 31 suspensions, 2 demotions, and 14 removals based at least in part on violations of the standards of conduct regulations.

We hope this information is helpful to you and to the Subcommittee.

Sincerely,



Francis M. Lilly
Deputy Solicitor of Labor

Enclosures

2263



United States Department of State
Washington, D.C. 20520

FEBRUARY 28 1984

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
United States House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Chairman Albosta:

This is in response to your letter of February 1, 1984 requesting a summary of certain elements of the State Department's ethics program.

With reference to our educational effort, each employee coming on board the Department now is provided, as part of an orientation package of materials, a copy of the standards of conduct. In addition, the Foreign Service Institute does include consideration of certain general conduct matters in its employee training sessions. Moreover, two attorneys in the Office of the Assistant Legal Adviser for Management provide ethics advice to Department employees on a day-to-day basis. That office also issues general guidance on various ethics topics. Thus, last year guidance on travel and gifts, together with a summary of other major provisions of the standards of conduct, was disseminated to all employees, both here and abroad.

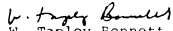
Enforcement of the standards of conduct is handled by advice and guidance given by the Legal Adviser's Office in Washington and the administrative staff at posts abroad (who coordinate with us if they deem it appropriate). Enforcement and advice regarding the financial reports required under the Ethics in Government Act and E.O. 11222 are carried out by the attorneys noted above in the Legal Adviser's Office and the administrative staff of the Department's Ethics Office, which reports to those attorneys. Furthermore, the Inspector General's Office periodically investigates standards of conduct matters as part of its overall responsibilities.

The Department does not maintain a list of adverse actions based on standards of conduct violations. Various adverse personnel actions are based on conduct or judgment grounds, but they often overlap with other areas of the Department's regulations, such as those pertaining to suitability or non-performance of duty.

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Copies of the Department's standards of conduct, 3 FAM 620 Appendix A, and a recent notice on gifts and the standards are enclosed. In addition to the advisory opinions and rulings of the Office of Government Ethics of the Office of Personnel Management, our Office of the Assistant Legal Adviser for Management serves as a source for interpretation and advisory opinions for present and former Department employees on standards of conduct matters.

Sincerely,



W. Tapley Bennett, Jr.

Assistant Secretary
Legislative and Intergovernmental Affairs



U.S. Department of
Transportation

General Counsel

400 Seventh St. S.W.
Washington, D.C. 20590

FEB 15 1984

FEB 13 1984

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your February 1 letter asking, on behalf of the Subcommittee on Human Resources, for a summary of certain elements of the Office of the Secretary of Transportation's (OST) ethics program.

Standards of Conduct Education Program

The Office of the Secretary of Transportation's education program consists of the following existing and planned elements:

1. Distribution of copies of the Department's Employee Responsibilities and Conduct regulations (enclosed) to all employees.
2. Training sessions for first- and second-level supervisors and managers consisting of a lecture by a staff ethics attorney on the conflicts of interest and employee conduct laws and regulations and the Hatch Act, which includes a video tape provided by the Office of Government Ethics. (Supplemental written materials are being developed.)
3. Distribution of written summaries (enclosed) of and oral briefing sessions given by a staff ethics attorney on the conflicts of interest and employee conduct laws and regulations and the Hatch Act to Presidential appointees and non-career SES and Schedule C employees.
4. Distribution of post-employment (18 U.S.C. 207) information to departing officials (enclosed).
5. We have asked the Office of Personnel to acquire and include in each employee orientation package a copy of the new Office of the Special Counsel booklet, "Political Activity and the Federal Employee," which concerns the Hatch Act.
6. We are planning, with the Training Office of the Inspector General, a lecture program for investigators on the conflict of interest and employee conduct laws and regulations. This will be given by a staff ethics attorney and will be designed specifically for the investigators, such as by emphasis on the types of evidence for which they should look.

Enforcement Process

The enforcement process has numerous elements:

1. Prevention of violation:

- a. Training (see above).
- b. Individual counseling by staff ethics attorneys. (This occurs through individual request, supervisor or IG referral, etc.)
- c. Review of proposed official actions, activities for possible conflict of interest issues. (This occurs through the originator, reviewing office, or reviewing attorney referral for proposed actions and through the official involved or the official's staff for proposed activities.)
- d. Review of and follow-up on public and confidential financial disclosure statements. (Follow-up generally results in disqualification or divestiture.)
- e. Distribution of Designated Agency Ethics Official advice to all Departmental ethics counselors and key officials on both general and specific issues.

2. Violation: Action where a violation has occurred depends on the severity of the offense. (We do not treat a technical, inadvertent violation the same as an intentional violation.)

For potential Standards of Conduct violations, the process is basically an initial citation, appeal, and final action. Final action depends on the offense. For financial interest and related matters, it is disqualification; divesting; or change of duties plus, where warranted, formal disciplinary action. For other violations, where warranted, it is formal disciplinary action, which can result in reprimand, suspension, or dismissal.

For potential criminal or actionable civil violations, such as refusal to file a Public Financial Disclosure Report, the Inspector General (IG), the Designated Agency Ethics Official (DAEO) (Deputy General Counsel), or both may refer the matter to the Department of Justice for further investigation or prosecution. (By Departmental Order and mutual desire, the IG and the DAEO cooperate and coordinate on these matters.)

The annual average of formal actions of any type taken has been approximately 55 for the Department. These have included criminal and civil referrals to the Department of Justice, adverse actions, recusals, disqualifications, divestitures, and reassignment of duties. The number of informal and formal rulings preventing possible violations has been far greater. Staff ethics attorneys in the Office of the General Counsel, for instance, normally handle 5 to 10 issues a week.

Advisory Sources Utilized

Departmental ethics personnel use the following written materials in addition to the Office of Government Ethics opinions, rulings, and digests and federal court rulings:

- o Opinions of the Office of Legal Counsel, Department of Justice
- o Reporter services:
 - Federal Ethics Handbook, Annotated
 - Ethics in Government Reporter

In addition, we maintain a separate file of our own legal rulings and use, where appropriate, Merit Systems Protection Board, Office of the Special Counsel, and Comptroller General rulings. We also consult on a regular basis with the Office of Government Ethics and the Office of the Special Counsel (Hatch Act) and, when appropriate, the Office of Legal Counsel and the Criminal Division, Public Integrity Section, of the Department of Justice.

I hope this information is helpful.

Sincerely,



Rosalind A. Knapp
Deputy General Counsel

Enclosures



DEPARTMENT OF THE TREASURY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20220

FEB 24 1984

Dear Mr. Chairman:

This is in reference to your letter of February 1, 1984, and the subsequent discussions between our respective staffs, concerning your Subcommittee's review of the Department's ethics program.

As indicated in your letter, your Subcommittee's inquiry is primarily focused on the Department's program of assuring that its officials and employees are fully made aware of the applicable standards of conduct and that the standards of conduct regulations are properly enforced by the Department.

To describe briefly the structure of the Treasury Department, it consists of the Office of the Secretary and eleven constituent units, including such major bureaus as the Internal Revenue Service, Customs Service and the Comptroller of the Currency. Each of the separate bureaus maintains a considerable degree of autonomy under the general oversight and policy guidance of the Department.

Our ethics program essentially mirrors the basic structure of the Department in that each bureau, under Departmental oversight, is primarily responsible for administering and enforcing its own ethics program. Thus, while the overall responsibility for the Department's ethics program rests with me as the agency ethics official so designated by the Secretary, the chief and legal counsels of the bureaus have been designated as deputy ethics counselors and delegated the authority to advise the officials of their respective bureaus on matters pertaining to the standards of conduct and the ethics program in general. To be sure, all ethics issues having Department-wide implication are brought to my attention for an appropriate ruling, or if necessary, for referral to the Office of Government Ethics for an advisory opinion. Similarly, opinions issued by that Office on ethics issues affecting the whole Department, as well as material pertaining to training and the like, are distributed by my office to all bureaus.

Essentially the same system applies to the standards of conduct. There are Department-wide regulations published in Part 0 of Title 31, Code of Federal Regulations, which

govern the conduct of all Treasury employees and which are provided to each employee upon entering on duty. Beyond that, consistent with the Department's regulations, each bureau may establish additional standards for its employees' conduct as may be required by the particular nature of its operations. Some of our bureaus, including the Internal Revenue Service, Office of the Comptroller of the Currency, the Bureau of Alcohol, Tobacco and Firearms, the Secret Service and the Customs Service, have in fact done so. The enforcement of the standards of conduct by taking appropriate disciplinary action is similarly each bureau's primary responsibility. This system, which allows considerable autonomy for our bureaus, while at the same time, provides for Departmental oversight and policy guidance, has assured not only an effective ethics program in the Department but also the most economic use of our resources.

Rather than describing in detail the ethics program of each Treasury bureau, including the steps taken in response to violations of the standards of conduct, I am enclosing copies of the bureau submissions we have received in reply to your inquiry. I am also enclosing a copy of the Minimum Standards of Conduct of the Treasury Department, which, as I mentioned before, are given to each Treasury employee when entering on duty.

I hope you will find this information responsive to your request. Please let me know if we can be of further assistance.

Sincerely yours,



Margery Waxman
Deputy General Counsel

Enclosures

The Honorable
Don Albosta, Chairman
Subcommittee on Human Resources
House of Representatives
Washington, D.C. 20515

2270

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE



DATE: FEB 13 1984

FILE: PER-17 CC:MD
PL-84-0020

TO : Chief, Administration and General Law Section

FROM : Chief Counsel

SUBJECT: Congressional Request Concerning the Department's Ethics Program

This is in response to a memorandum of February 6, 1984, asking for information concerning the implementation of certain aspects of the ethics program at the Customs Service. This information is needed in order to respond to a letter from Congressman Albosta, Chairman of the Subcommittee on Human Resources of the Committee on the Post Office and Civil Service. Specifically, Congressman Albosta asked the Department to explain the process and content of its educational program in regard to the standards of conduct, the process used to enforce those standards of conduct, including information concerning the adverse actions taken for violations of the standards of conduct, and the system used to provide advisory opinions or rulings concerning the standards of conduct.

Because of the extremely short time frame in which we were asked to provide a response, coupled with the field structure of the Customs Service, it is difficult to provide a great deal of specific information responsive to the Congressman's inquiry. In order to provide a timely response to your request for information, much of the information provided consists either of only statistical data, or examples based on Headquarters cases. It was simply not possible to obtain any more specific or detailed information concerning cases in the regions in the time period allowed for response.

Section 41735 of the Customs Service Policies and Procedures Manual is entitled Conduct and Employee Responsibilities. This document incorporates the Department's Standards of Conduct and provides specific rules and regulations to govern the conduct and responsibilities of Customs employees. Every employee is given a copy of this document when he or she enters the employment of the Customs Service. The employee is required to acknowledge receipt of the manual and signs a statement recognizing his or her responsibility to be familiar with the contents of the chapter. Additionally, the labor relations contract between the National Treasury Employees Union and the Customs Service provides in Article 28, Section 2

that "it is the responsibility of each employee to: (1) know and be aware of the Minimum Standards of Conduct of the Department of the Treasury and the Code of Conduct and Employee Responsibilities of the U.S. Customs Service; and, (2) adhere to the standards of conduct contained therein." Distribution of the manual to employees when they begin their employment with the Service and the provision cited above in the labor relations agreement are the methods used by the Service to ensure that each employee is familiar with the standards of conduct.

The Service uses the adverse action provisions contained in 5 CFR 752 to enforce the standards of conduct. Because the Code of Conduct and Employee Responsibilities is such a broad and comprehensive document, almost every adverse action taken in the Customs Service that is not based upon performance can be considered to be based upon a violation of some provision of the standards of conduct. For example, employees are prohibited in engaging in conduct prejudicial to the government, and from taking any action that would adversely affect the confidence of the public in the integrity of the government. In addition, employees are required to carry out all properly assigned duties in an accurate and conscientious manner, and are required to observe designated duty hours and be punctual in reporting to work and returning from breaks. Thus, an employee disciplined for failure to carry out assigned duties or for abuse of leave or absence without leave (AWOL) can be considered to have been disciplined for a violation of the standards of conduct.

To provide an idea of the frequency and nature of such disciplinary actions, the following information is provided concerning adverse actions taken at Headquarters. From the start of fiscal year 1982 to date, there have been 14 written reprimands issued at Headquarters. The underlying conduct involved in these cases includes such conduct as failure to carry out assigned duties, failure to carry out direct orders, negligent performance of duties, conduct unbecoming a government employee, absence without leave, and improper use of government telephones. Every one of these offenses can be considered a violation of the standards of conduct. From March 1982 to date there have been 24 leave restriction letters issued to employees. Again, since employees are required to observe designated duty hours and to be punctual, the conduct leading to the issuance of a leave restriction letter can be considered a violation of the standards of conduct. Again, using the Headquarters as an example, there have been 11 proposed suspensions of 14 days or less since December of 1981. The bases for these suspensions include absence without leave, unprofessional conduct, and the improper display of a weapon. Since October of 1982 there have been 10 proposed removals at Headquarters. The basis for these actions are as follows: failure to follow a direct order and disclose information concerning the identity of a source, failure to report a criminal arrest involving the use of drugs, unauthorized use of a government vehicle, embezzlement, falsification of a 171, failure to accept reassignment, forged time and attendance cards and, in several cases, AWOL. Again, because of the broad scope of the Customs Service standards of

conduct, each of these removals can be considered to be based upon a violation of the standards of conduct.

As explained above, it was very difficult to obtain complete and detailed information concerning adverse actions taken in the various regions in the time period specified, since those actions are handled, and the files are maintained at the regional level. However, the Personnel Office has provided the following statistics concerning actions taken in the calendar year 1982. In the year 1982, a total of 204 disciplinary actions were taken throughout Customs. One hundred and forty-five of these involved either an oral or written reprimand or a suspension of less than 14 days, while 59 of these cases involved suspensions of 14 days or more or removal. Eight of these actions were in the Northeast Region, 96 in New York, 31 in the Southeast Region, 10 in the South Central Region, 15 in the Southwest Region, 33 in the Pacific Region and 11 in the North Central Region. Comprehensive records indicating the bases for each of these actions are not available at this time. However, as is the case in Headquarters, the records that are available indicate that these actions were taken for a wide range of conduct including numerous instances of AWOL, the unauthorized use of government vehicle, falsification of official documents, failure to carry out assigned work, and the unauthorized acceptance of gift or gratuity. Once again, depending upon how broadly one interprets Congressman Albosta's request for a list of "adverse personnel actions taken and warnings issued based on violations of the standards of conduct" every one of these adverse actions may be considered as being based on a violation of the standards of conduct.

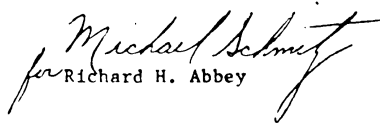
Pursuant to 31 CFR 0.735-93, the Chief Counsel of the Customs Service has been designated as a Deputy Ethics Counselor responsible for providing advice and guidance on all questions concerning the standards of conduct. The Customs Service Standards further provide in Section 41735.1.F.2. that "every supervisor will provide conduct questions, within the scope of their their supervision concerning conduct questions, within the scope of their experience, knowledge and authority, and assist them in obtaining advice on conduct questions which are beyond that scope." That provision further provides that regional and Headquarters Personnel Officers as well as Regional Counsels and the Chief Counsel are available to provide interpretive assistance and guidance concerning the standards of conduct. Thus, an employee may go to his or her supervisor, a personnel officer or to counsel in order to obtain advice and assistance concerning the interpretation of the standards of conduct. The Customs standards of conduct states that:

"Employees will utilize available interpretation and advisory services whenever questions arise concerning their contemplated conduct and related conduct requirements or restrictions, including questions arising under this section. In any action or proceeding based on any act or omission constituting misconduct,

whether or not an employee sought an opinion or advice from an official in their supervisory chain of command, a Customs Personnel Officer, the Chief Counsel, or a Regional Counsel, whether such opinion or advice was given, and whether the employee's act or omission was in conformity with, and in reasonable reliance on, any opinion or advice furnished, will be considered in assessment of the alleged misconduct and any remedial action."

Thus, the Standards of Conduct clearly encourage employees to seek advisory opinions regarding any contemplated course of conduct.

Attached, as requested by Congressman Albosta is a copy of Section 41735 of the Policies and Procedures Manual as well as a copy of the relevant sections of the Customs-NTFU Collective Bargaining Agreement. If you have any questions concerning the information provided, or if we can be of any further assistance, please contact Michelle Davis at 566-6245.


for Richard H. Abbey

Attachment

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Washington, D.C. 20451

February 23, 1984

The Honorable
Don Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
511 House Office Building, Annex 1
Washington, D.C. 20510



Dear Chairman Albosta:

I am writing in response to your letter to me dated February 1, 1984 which requested the following summary information concerning the ethics program at this Agency:

-- The process and content of our educational program for employees and officials at this Agency in regard to the Standards of Conduct consists of display of the Code of Ethics poster and personal contact by me with each new employee who is subject to the financial disclosure requirements to explain the ethics program as it relates to that employee. In addition I personally brief each contractor selection board appointed by the Agency and poll the members on all possible conflicts of interest. My own education on this subject is largely derived from formal Office of Government Ethics (OGE) conferences and issuances and informal discussions with OGE staff.

-- The process used to enforce the Standards of Conduct consists of a thorough review of financial disclosure reports followed by personal contact concerning all possible problem areas and divestiture or change in duties where appropriate, and also discussions with supervisors and employees whenever they or I perceive a possible ethics question. Because of this preventive approach, it has not been necessary to take adverse personnel actions or issue warnings based on violations of the Standards of Conduct.

-- Attached is a copy of this Agency's current Standards of Conduct regulations which are published in Part 606 of Title 22 of the Code of Federal Regulations. We have not issued any other general guidelines on the Standards of Conduct and do not have a formal system of advisory opinions or rulings that we utilize in addition to that of OGE.

Sincerely,

A handwritten signature in cursive script, reading "Walter L. Baumann".

Walter L. Baumann
Designated Agency Ethics Official

2275



ACTION

WASHINGTON, D.C. 20525

FEB 16 1984

February 15, 1984

Mr. Don Albosta, Chairman
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of February 1, 1984 in which you ask me to summarize certain elements of the ethics program here at ACTION. As I explained to Mr. John Fitzgerald of your staff, I was unable to respond by February 10, 1984, as you had requested because your letter was not received by me until February 6. I hope that this slight delay has not unduly inconvenienced you.

Your first question deals with the Agency's educational program in regards to the Standards of Conduct. Since such a program is an ongoing process, it is difficult to provide you with every part of the program. However, to summarize the present Agency practices, the Standards of Conduct regulations (copy enclosed) are given to every employee as they come on board. This Office then provides further training both through conducting sessions in Washington and by occasional memorandum sent to the regional and state personnel. For example, I recently presented training on the standards of conduct for the ACTION Regional Directors and also discussed the regulations with the regional Grants and Contracts Officers while they were in Washington for a conference. I am presently working with the Office of Government Ethics to improve the Agency's training program to develop a means by which I may periodically issue short memorandum to all employees concerning discrete subjects such as gifts, Hatch Act restrictions, etc.

The next area of inquiry deals with our enforcement of the regulations. ACTION has in place a system whereby I review all confidential statements of financial interests against an up-to-date list of agency grants and contracts to ensure against an existing conflict of interest. I also submit to

the grants and contracts office the names of organizations with which an ACTION employee is presently associated. This list is checked by the Grants and Contracts Officers both in headquarters and the field prior to the award of any grant or contract in order to prevent creating a conflict of interest. When a conflict of interest is discovered, the actions taken have ranged from termination of an existing contract; a letter being placed in an ex-employee's personnel file; counseling of an employee concerning the standards of conduct; and placement of a letter of reprimand in a current employee's personnel file.

Your last request asks that the Agency include a copy of any general guidelines issued on its standards of conduct regulations, and a description of the advisory opinion system utilized internally. Since the Agency is so small, no formal guidelines have been issued to implement its regulations. Instead, as provided by the regulations, the General Counsel and his Office are designated as counselors and will provide advice and guidance in this area to any ACTION employee who seeks it. (45 CFR 1201.735-101(a)) In addition to this informal advisory procedure, the regulations provide for a Committee on Conflict of Interests to review and monitor the Agency's policies and procedures in this area. It is within the authority of the Committee to adopt procedures to implement the regulations and to issue interpretive opinions or clarifying statements on actual or hypothetical situations. These opinions are then used as guidance by the Office of General Counsel in responding to the Agency employees.

I trust that the above information is responsive to your questions.

Sincerely,



Louise E. Maillett
Assistant General Counsel

2277

General Services Administration National Archives and Records Service Washington, DC 20408

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, DC 20515

FEB 17 1984

Dear Mr. Chairman:

Thank you for your letters of February 1, 1984, inquiring about the ethics programs of the Administrative Committee of the Federal Register and the National Archives Trust Fund Board.

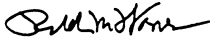
The Administrative Committee of the Federal Register is composed of three members who are each covered by the Standards of Conduct of their own agencies. The Archivist of the United States is covered by the GSA Standards of Conduct, a copy of which is enclosed. The Attorney General and the Public Printer are covered by Department of Justice and Government Printing Office standards respectively.

Standards of conduct covering the employees of the National Archives Trust Fund Board were originally prepared and submitted for the Board's approval in September 1981. They were based largely on the GSA Standards of Conduct. The Treasury Department legal counsel, reviewing the standards on behalf of Secretary Regan who is a member of the Board, raised several objections to the standards as written. A revised version was prepared and submitted to the Board in March 1983. Treasury's subsequent review raised several new questions which we are now in the process of resolving. We will be happy to submit a copy of the Trust Fund Standards of Conduct to your subcommittee as soon as a final version is approved by the Board.

Both the GSA standards and the draft Trust Fund standards place responsibility with supervisors for ensuring that all personnel under their supervision are instructed in and understand the standards of conduct as well as statutes governing conflicts of interest and postemployment restrictions. Supervisors are also required to take or recommend disciplinary or remedial action in the case of those who violate the standards or related laws and regulations. No such violations are known to have occurred in either the Administrative Committee of the Federal Register or the National Archives Trust Fund Board.

Thank you for your interest in our programs. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,



ROBERT M. WARNER
Archivist of the United States



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
2120 L STREET, N.W. SUITE 500
WASHINGTON, D.C. 20037
(202) 254-7020

February 9, 1984

OFFICE OF
THE CHAIRMAN

Honorable Don Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of February 1 requesting information with respect to the ethics program at the Administrative Conference.

I think it would be helpful to you if I first described the structure and functions of the Administrative Conference. The Conference is composed of 91 members, drawn from the Government agencies and the private sector. At present there are 44 Government members and 36 "public" members, though this ratio varies slightly from time to time. The Chairman of the Conference, who is an advice-and-consent appointee, is the only full-time compensated member. The Conference has a small permanent staff, at present ten professionals and seven clericals, in addition to the Chairman.

The Conference's role is to develop improvements in the procedures by which Federal agencies administer regulatory, benefit and other Federal programs. The Conference has no operating responsibilities; its functions are to study and to recommend. Conference recommendations are limited to the subject of administrative procedure (primarily agency procedure, but also questions relating to judicial review of agency action) and do not deal with matters of substantive policy; see 5 U.S.C. § 572(3). Furthermore, Conference studies and recommendations are directed at problems of some general significance; we are not involved, even in a recommendatory role, in the disposition of individual proceedings involving the rights of specific parties. Because of the nature of our responsibilities, therefore, problems of real or potential conflict of interests seldom arise.

To turn to our ethics program, it would be useful to distinguish between those provisions applicable to our own staff and those applicable to our members.

The Administrative Conference with the approval of the Office of Personnel Management has adopted a short form regulation on employee responsibilities and conduct, which incorporates the major provisions of 5 C.F.R. Part 735. I enclose our regulation, 1 C.F.R. Part 303. This regulation is brought to the attention of each new employee at the time of entrance on duty and periodically thereafter. Violation of the Standards of Conduct is, of course, subject to disciplinary action; however, I recall no instance of a violation by a staff member in the thirteen years I have been at the Conference.

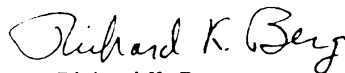
We do not have any special educational program with respect to ethics problems. This is a very small agency, and as General Counsel and Designated Ethics Official I am available to any employee for consultation on any problem which might arise. If I have any difficulty answering a question, I consult with the Office of Government Ethics at OPM.

With respect to the membership of the Conference, the situation is somewhat different. Public, i.e., non-Government, members are regarded as special Government employees, although they serve without pay. We require them to file upon appointment a statement of all other employment, as required by Executive Order 11222. See section 303.109(b) of our enclosed regulation. These statements are reviewed by the Chairman or, in his absence, by me for potential conflicts of interest. Government members, however, are regarded as employees of the agency with which they serve and not as employees of the Conference, and the regulations in Part 303 are not applicable to them.

In addition, all members of the Conference are subject to a special disclosure requirement contained in section 5 of our bylaws, 1 C.F.R. § 302.5, which is also enclosed. Section 5 is addressed to the question of participation of members in the consideration of recommendations or other matters in which they may have a professional or financial interest. Because the membership of the Conference are selected to provide a balance of experience and viewpoints, we wish to encourage participation by those members most familiar with a procedural problem, even though that familiarity may have been acquired while serving with or practicing before the agency whose procedures are under consideration. Consequently, we limit the grounds for disqualification from participation to the circumstance where the Conference action may affect the substantive outcome in a pending matter in which the member has a financial interest. See section 302.5(b)(2). Such a circumstance would be extremely rare, because the Conference's concern is limited to matters which are both general and procedural. However, so that the other members and the public are fairly on notice where a member has an axe to grind, so to speak, we require each member to file a brief general statement describing the nature of his practice or affiliations and we require that this statement be updated periodically and with a view to the items on the forthcoming agenda of the Conference's plenary session. These statements are kept at the session and are available for inspection.

I hope that this information has been responsive to your inquiry. If I can supply any further information, please let me know.

Sincerely yours,



Richard K. Berg
General Counsel

Enclosures

**Advisory
Council On
Historic
Preservation**

FEB 2 1984

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

FEB 17 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, DC 20515

Dear Mr. Albosta:

This letter is in response to your inquiry of February 1, 1984, regarding the Council's ethics program. You have asked for information on three areas: The Council's educational program, the Council's enforcement process, and the Council's regulations and guidelines.

1. Educational programs

The Council is a small independent Federal agency with the mission of advising Congress, the President, and other Federal agencies on historic preservation matters. Under the Council's enabling statute, the National Historic Preservation Act, 16 U.S.C. 470, et seq., the Department of the Interior provides administrative services to the Council. The Council consists of 19 members from other Federal agencies and the public and employs a staff of 37.

Prior to June 14, 1982, the Council adhered to the Department of the Interior procedures regarding conflicts of interest. On June 14, 1982, the Council published interim conflict of interest regulations of its own 47 Fed. Reg. 25520 (June 14, 1982). At that time, copies of the interim regulations were distributed to each member and employee.

Since that time, the Council has formulated its final conflict of interest regulations. The Council is scheduled to vote on their adoption at its February 27-28, 1984, meeting. If the regulations are approved, they will be published in the Federal Register and distributed to all members and staff with a cover memorandum explaining the importance of the regulations.

The Council intends to conduct periodic educational programs for the members and staff. Members and staff are encouraged to attend the Ethics in Government seminars sponsored by the Office of Government Ethics.

2. Enforcement process

All members and all employees classified at GS-13 and above are required to file Statements of Employment and Financial Interest. The Council's Ethics Counselor carefully reviews each of these statements for conflicts of interest and, if any conflicts surface, attempts to resolve them promptly and efficiently as set out in the Council's regulations. Although there have been instances where employees or members have voluntarily disqualified themselves from participation in particular cases in which they had an interest, there have been no instances where members or employees have violated the Council's standards of conduct. The Council has had no occasion to issue warnings or take adverse personnel actions.

The members and employees are aware of the need to avoid conflicts of interest and freely consult with the Ethics Counselor or his assistant when they have questions regarding ethics, before a problem can arise.

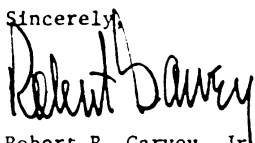
3. Current regulations

I have enclosed a copy of the Council's interim regulations published on June 14, 1982. The final regulations will be submitted to the Council for approval at its February 27-28, 1984, meeting. There are only minor differences between the interim regulations and the final draft. The Council received no comments from the public on its interim regulations. The Office of Government Ethics has reviewed and approved the final draft.

As yet, the Council has issued no general guidelines on the standards of conduct and has issued no advisory opinions or rulings.

I hope this information is helpful to you.

Sincerely,



Robert R. Garvey, Jr.
Executive Director

2282

THE AMERICAN BATTLE MONUMENTS COMMISSION

WASHINGTON, D.C. 20514

7 February 1984

Honorable Don Albosta
Chairman,
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building, Annex 1
Washington, D.C. 20515

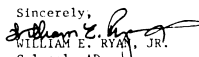
Dear Mr. Albosta:

Thank you for your letter of February 1, 1984.

The American Battle Monuments Commission is a small independent agency of the Executive Branch. Its principal functions are to commemorate the services of the American Forces where they have served since April 6, 1917 through the erection of suitable memorial shrines; to design, construct, operate and maintain permanent American military burial grounds in foreign countries; to control the design and construction of U.S. military monuments and markers in foreign countries by U.S. citizens and organizations both public and private; and to encourage the maintenance of such monuments and markers by their sponsors. In performing these functions, the Commission's five military officers and 50 U.S. civilian-personnel together with 337 foreign-national personnel, administer, operate, and maintain twenty-four permanent American military burial grounds, fourteen separate monuments and four memorials in twelve countries and Trust Territories around the world.

Because of the very small number of agency US personnel, the nature of their duties and their scattered locations around the world, a formal agency Ethics Program is not practical. Supervisors, however, have been provided pertinent memoranda from the Office of Government Ethics and copies of the Committee Print of Ethics in Government Act of 1978, as Amended by Public Laws 96-19 and 96-28. Additionally, knowledge of and compliance with Standards of Ethics in Government are monitored by the Officers in Charge of our two field offices and by staff personnel from this office. None of our fifty U.S. civilian employees are "Senior Employees" in the sense of the program.

Sincerely,


WILLIAM E. RYAN, JR.
Colonel, AD
Director of Operations
and Finance


APPALACHIAN REGIONAL COMMISSION

OFFICE OF THE
FEDERAL COCHAIRMAN
1666 Connecticut Avenue, N.W.
Washington, D.C. 20235
202/673-7856

FEB 10 1984

February 10, 1984

Dear Congressman Albosta:

In response to your letter of February 1, 1984 requesting information about the conduct of the Appalachian Regional Commission's (ARC) ethic program, I am happy to report the following.

The ARC employs three distinct categories of employee: Federal, State and Commission, the latter being a kind of combination of the first two. The Office of Personnel Management ethics program applies to Federal employees, those employed by the Office of the Federal Co-Chairman. That Office consists of a total of six (6) employees of which the ethics program is applicable to four (4) and to me as designated agency ethics official.

Obviously, the ethics program in our agency is simple to administer given its size. As agency ethics officer I have conducted individual interviews with the four employees to whom the program is applicable, providing advice and assistance for completing the Executive Personnel Financial Disclosure Report (SF278).

As you know, 5CFR Part 735 Subpart A sets out the Standards of Conduct for Federal employees generally. OPM requires each agency to issue regulations in conformance with the general regulation, although it also provides that an agency head, who does not consider individual regulations feasible because of agency size, may alternatively adopt the OPM regulation. The first ARC Federal Co-Chairman concluded that the small size of the Federal staff at the ARC did not warrant a special set of regulations, and the ARC Federal Office adopted the generalized set of OPM regulations.

I hope you find this information useful.

Yours truly,

Joseph Napolitano
Agency Ethics Officer

Congressman Albosta
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515



ARMED SERVICES BOARD OF CONTRACT APPEALS
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332

February 9, 1984

Honorable Don Albosta
Chairman, Subcommittee on
Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your inquiry as to the ethics program of the Armed Services Board of Contract Appeals.

The ASBCA receives its administrative support, including personnel matters, from the Administrative Office of the Secretary of the Army. Army Regulation 600-50 has been issued under the general Standards of Conduct of 5 C.F.R. 735. All employees of the board are required to be familiar with and comply with the requirements of AR 600-50, with emphasis on Chapter 2 dealing with standards of conduct and conflicts of interest. They are required to certify to this. 5 C.F.R. is kept in our library and is available to all personnel.

All of the administrative judges of the ASBCA are required to file an annual public financial disclosure statement as required by the Ethics in Government Act of 1978 (Pub. L. 95-521, as amended) and described in 5 C.F.R. 734. New appointees must also file this statement at the time of appointment. I am a Deputy Designated Agency Ethics Official in DoD. As such, I review the disclosure statements of the other members of the board and require formal statements of disqualification from participation in any appeal for which there is a potential conflict of interest. Divestiture would be required if appropriate. My own financial disclosure statement is reviewed by the DoD Designated Agency Official and is filed with the Office of Government Ethics.

All of the staff attorneys of the ASBCA are required to file a Confidential Statement of Affiliations and Financial Interests as described in Chapter 3 of AR 600-50. These are reviewed by me and by the General Counsel of the Army, with disqualification orders, as appropriate.

A report of DoD and Defense Related Employment, as required by Pub. L. 91-121, is filed by all professional employees or, if not applicable, a statement to that effect.

All of the administrative judges and staff attorneys are guided by the Code of Judicial Conduct of the American Bar Association.

All of the judges who were formerly in the private practice of law are disqualified from participation in matters which involve their law firms or their former clients. Former Government attorneys are disqualified from participation in matters which were pending before the agency during their employment.

All of the judge positions and several others are designated Critical-sensitive and are subject to investigations by the security officers of the nature required for a top secret security clearance. All others require a secret security clearance.

Ethics rulings and opinions of the Office of Government Ethics and in DoD are received and disseminated in the ASBCA.

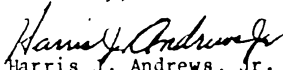
Enforcement of the disqualification statements are made presently through manual checks, and through careful scrutiny by the judges of the cases pending on their dockets. I plan to enter the disclosed data in the computer, as soon as the necessary software can be prepared, for quicker checks. Appeals are brought to the board by prime contractors and their names appear on the appeal caption. Occasionally it is later learned that a subcontractor has an interest which causes a potential conflict of interest for the assigned judge. The case is immediately reassigned.

Since the ASBCA is much too small an organization to have its own investigative personnel, I must rely upon the investigative agencies of the DoD and the Army. In my years as chairman, I have never detected nor has there been reported to me an actual violation of the Standards of Conduct by any employee of the ASBCA.

A copy of AR 600-50, promulgated under the general Standards of Conduct of 5 C.F.R. 735, is attached. This regulation and the Code of Judicial Conduct are sufficiently comprehensive that I have not considered it necessary to issue any formal implementing instructions. Personnel are instructed that they must follow these rules. The rules of procedure of the ASBCA prohibit ex parte communications of a party with the judge.

Advisory opinions and rulings of the Department of the Army are used in addition to those of the Office of Government Ethics. The vice chairmen and I discuss with and advise personnel on ethical questions and those related to the Standards of Conduct. There has been no occasion to issue formal written opinions, since our advice has been followed. Any refusal to do so would result in a formal opinion.

Sincerely,


Harris J. Andrews, Jr.
Chairman

Attachment



United States Architectural and Transportation Barriers Compliance Board Washington, D.C. 20202

The Honorable Don Albosta
Chairman, Committee on Post
Office and Civil Service
Subcommittee on Human Resources
U. S. House of Representatives
511 House Office Building, Annex 1
Washington, D.C. 20515

APR 24 1984

Dear Mr. Chairman:

I am writing in response to your request for a description of our ethics program. The Architectural and Transportation Barriers Compliance Board is a small Federal agency with 25 staff employees and 22 Board members, 11 of whom are public members appointed by the President and 11 of whom are representatives (Executive Level IV or above) of Federal agencies. Each new employee and new Board member is given a copy of the ATBCB standards of conduct regulation and a memorandum describing their responsibilities under the regulation.

Because we are a very small agency, much of the communication between our designated ethics official and staff members takes place on an informal basis. Our ethics officer has in the last several months received several inquiries concerning propriety of certain staff actions. The ethics officer has consulted closely with the Office of Government Ethics on these issues and has met with those officials on three different occasions. It should be noted that these inquiries were initiated by the involved staff members themselves concerning the ethical issues involved in actions they planned to take. None of these inquiries raised any issue of inappropriate conduct by these staff members. There have been no adverse personnel actions taken or warnings issued based on violations of the standard of conduct at this agency.

A copy of our current regulation is enclosed. Again, because we are so small we have no system of advisory opinions or rulings that we utilize in addition to that of the Office of Government Ethics. Our designated agency ethics official, Linda Potter, is in the process of developing a formal training program for new and present employees on the Standards of Conduct and the Ethics in Government Act.

If there is any more information you would like, please let me know.

Sincerely,

Robert M. Johnson
Executive Director

2287

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

REPLY TO
ATTENTION OF

SPKDE

9 February 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
House of Representatives
Washington, DC 20515

FEB 10 1984

Dear Mr. Albosta:

This is in response to your letter dated 1 February 1984 concerning ethics programs in Federal agencies.

The California Debris Commission is comprised of three Corps of Engineers military officers, specifically, the South Pacific Division Commander, the Sacramento District Commander, and the San Francisco District Commander. In that the above mentioned military officers are employed by the Corps of Engineers, their Standard of Conduct training is provided through the Corps. I assume you have requested similar information from the Corps of Engineers regarding this program.

In closing, I would mention that, presently, there are no formal Debris Commissioners, as they must be appointed by the President and approved by the Senate. An action for this is pending, however, a concurrent action is proposed to abolish the Commission and transfer its duties and responsibilities to the Corps of Engineers.

If you have not done so and would like to contact the Corps of Engineers Headquarters, the address is as follows:

HQ, USACE, Office of Personnel
attn: DAEN-PE
20 Massachusetts Avenue N.W.
Washington, DC 20314

If we can be of any additional assistance, be sure to let me know.

Sincerely,



Henry Lee
Lieutenant Colonel, Corps of Engineers
Acting District Engineer

2288

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Office of General Counsel

13 February 1984

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This letter is in response to your request dated
1 February for information concerning CIA's ethics programs.

Under CIA regulations, the standards of conduct are enforced through the annual review of employee financial interest statements, and through the review of employee outside activity requests (CIA employees are required to obtain prior approval of all outside business activities). Enforcement is paralleled by an educational ethics program for all employees. We believe that this system is working well to inform employees of ethical considerations and to identify potential conflicts before they ripen.

The key to the CIA ethics program is an aggressive educational program conducted by the Office of General Counsel. This year OGC conducted a program in its auditorium open to all employees which consisted of a lecture and question and answer period. Topics included current and post employment conflict of interest problems, restrictions on political activities, and financial disclosure reporting requirements. This presentation was taped and made available to groups or individuals. Similar presentations are also given on an ad hoc basis to any CIA component which requests it and approximately 10 such presentations were given in 1983.

OGC guidance letters on ethics questions are an important supplement to these traditional lectures. CIA employees are encouraged to bring ethics questions to this Office, and employee requests for guidance resulted in more than 50 opinions from this Office.

The final segment of CIA's educational program is the inclusion of ethics regulations in the package of required regulatory reading. All CIA employees are required to certify that they have read this material once each year. A copy of CIA ethics regulations is enclosed with this letter.

Through counseling and review before an employee places himself in a conflicts situation, we have managed to reduce the number of actual conflicts. In 1983, four cases were found to involve conflicts of interest: One resulted in administrative reprimand; two were resolved through the recusal of individuals from certain activities; the fourth case, involving a possible violation of 18 U.S.C. § 208, has been reported to the Department of Justice for investigation.

I hope that this information is of some assistance in your review of federal ethics programs. Please contact me directly if you need any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. E. Dietel".

J. Edwin Dietel
Deputy General Counsel

Enclosure

2290

CIVIL AERONAUTICS BOARD

WASHINGTON, D.C. 20428

IN REPLY REFER TO:

B-30-33

February 23, 1984

9

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
Congress of the United States
511 House Office Building
Washington, D.C. 20515

FEB 24 1984

Dear Chairman Albosta:

This letter responds to your inquiry dated February 1, 1984, concerning the CAB's administration of its ethics program.

At the time a CAB employee is hired, the employee is given a copy of the Board's Standards of Conduct 1/ and directed to familiarize him or herself with its contents. Each employee must sign a form indicating that he or she has received this material.

Employee responsibilities and standards of conduct are also set out in Chapter 273 of the CAB Manual. 2/ All CAB employees are advised to familiarize themselves with the contents of Chapter 273 and that they are responsible for conforming to the standards contained therein.

As an integral part of the CAB's ethics program, all Board employees receive copies of Staff Notices issued by the Managing Director or the General Counsel which address current topics of special interest to the agency. In the past year, Staff Notices have been issued on the use of Board personnel, supplies and equipment and on Part 370 of the Board's regulations. Staff Notices are issued on an as-needed basis.

A CAB employee may seek the advice of the agency's designated ethics official 3/ on any matter which he or she questions. Employees are actively encouraged to seek the informal advice of the Office of the General Counsel before they engage in any activity that raises a standards-of-conduct issue. The Board does not maintain a record of informal requests. If the request requires a written opinion by the General Counsel, it is given to the employee and a copy is placed in the OGC reading file.

1/ 14 CFR 370.

2/ CAB Manual, Chapter 273 "Employee Responsibilities and Conduct".

3/ The duties of the CAB's designated agency ethics official have been delegated by the General Counsel to the Associate General Counsel, Enforcement. Prior to October 1, 1983, these duties were delegated to the Associate General Counsel, Legal Counsel Division, OGC.

In the course of issuing a formal or informal OGC opinion, other agencies such as the Office of Government Ethics, General Accounting Office and Department of Justice are routinely consulted.

On occasion, a matter is raised that requires a formal investigation by the Board's investigators. Before an investigation of a CAB employee is instituted, the permission of the Managing Director is obtained. The report of the investigation is an official agency document and is retained by the Board in accordance with applicable federal recordkeeping statutes and regulations.

If, as a result of an investigation, a violation of the Board's Standards of Conduct (or of some other federal statute or regulation) is revealed, the employee's supervisor is advised of the violation and disciplinary options. As a routine matter, OGC is informally consulted before any formal disciplinary action is taken.

Disciplinary action may be either formal or informal. Informal disciplinary action usually consists of discussing the matter with the employee or, if warranted, the issuance of a written reprimand. Generally, written reprimands are not placed in the employee's Official Personnel Folder. Only the employee's supervisor maintains a record of informal disciplinary action. If the employee who has been informally disciplined is subsequently the subject of a formal disciplinary action, the employee's prior disciplinary record is taken into consideration. All formal disciplinary actions are processed in accordance with the applicable federal statutory provisions governing adverse actions, Office of Personnel Management regulations, and Merit Systems Protection Board decisions.

A list of all formal and informal disciplinary actions taken by the CAB since 1978 is included as Appendix A to this letter. After conferring with the Subcommittee Counsel, I have deleted the names of the individuals who were the subject of disciplinary action. In addition, disciplinary actions taken by the Board since 1978 that do not raise ethics issues (e.g., excessive absenteeism, etc.) have not been included. Due to personal privacy concerns, I am requesting that Appendix A be accorded confidential treatment by your Subcommittee.

As required by law, the Board's ethics program includes annual reviews of all Employee Financial Disclosure Statements (SF-278) submitted to the Board by its senior employees, which are subject to review and approval by the Office of Government Ethics. OGC routinely seeks the informal advice of OGE's staff attorneys on all matters related to the proper manner for reporting financial interests on a SF-278.

The Board's Standards of Conduct were promulgated pursuant to the general standards of conduct in 5 CFR 735. A copy of the Board's Standards of Conduct is included as Appendix B to this letter. A copy of Chapter 273 of the CAB Manual is included as Appendix C to this letter.

Sincerely,



J. Stephen Britt
General Counsel

Enclosures

UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D. C. 20425

February 8, 1984

FEB 14 1984

Honorable Don Albosta
 Chair
 United States House of Representatives
 Committee on Post Office and Civil
 Service
 Subcommittee on Human Resources
 511 House Office Building Annex 1
 Washington, D.C. 20515

Dear Representative Albosta:

This is in response to your letter of February 1, 1984, regarding the ethics program of the United States Commission on Civil Rights.

An orientation program is provided to all new employees of the Commission. The orientation includes a session on the Standards of Conduct regulations as they apply to Commission employees. Each employee is given a copy of the agency's Employee Handbook (copy enclosed), which at pages 22 and 23 refers to the Standards of Conduct and contains the Code of Ethics for Government service. All employees are required to be familiar with the Ethical Conduct Regulations and the Administrative Instruction which reprints these Regulations.

When necessary, the Standards of Conduct are enforced through the disciplinary process. Between 1978 and 1983, the following violations of the Standards of Conduct and in some cases, relevant statutes, resulted in actions being taken against employees, as shown:

1978 - 1983

(1) Falsification of leave record	one-day suspension
(2) Unauthorized use of vehicle	40-day suspension
(3) Misuse of vehicle	reprimand
(4) Improper use of overtime record	two-day suspension
(5) Improper use of overtime record	10-day suspension
(6) Improper use of overtime record	removal
(7) Improper use of overtime record	six-week suspension
(8) Improper use of overtime record	three-day suspension

- | | |
|-------------------------------------------------|-------------------|
| (9) Improper use of overtime record | removal |
| (10) Improper use of overtime record | 60-day suspension |
| (11) Misuse of government mailing
privileges | reprimand |

Enclosed you will also find a copy of the Commission's publication, "Statute, Rules, and Regulations." The Standards of Conduct are found beginning at page 41. While the Commission does not maintain a "system" of advisory opinions on ethical conduct, all employees are aware of the availability of, and from time-to-time employees request, advice and guidance from the Office of the Solicitor of the Commission, respecting ethical conduct issues.

If I can be of further assistance, please do not hesitate to call upon me.

Sincerely,



LAWRENCE B. GLICK
Solicitor
Designated Agency Ethics
Officer

Enclosures

2294

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006


FEB 22 1984

February 21, 1984

Dear Mr. Chairman:

This is to confirm receipt of your inquiry about ethics programs in Federal agencies. The Commission of Fine Arts, as a six person architectural review agency, has the Office of the Secretary of the Department of Interior assist with all personnel and conduct matters. As such they have offered to inform the Committee specifically how the Commission of Fine Arts is covered by the appropriate provisions. Should there be any additional questions we can be reached at (202) 566-1066.

Sincerely,



Charles H. Atherton
Secretary

Mr. Don Albosta, Chairman
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

2295



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

FEB 24 1984

FEB 27 1984

Honorable Don Albosta
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Albosta:

This is in response to your February 1, 1984 letter to the Commission on Fine Arts concerning administration of the ethics program and standards of conduct. We are responding for them inasmuch as we provide administrative support to the Commission.

The Commission has only six non-temporary employees and two of those are secretarial/clerical. One of the employees files a Financial Disclosure Report to the Office of Government Ethics. The seven members of the Commission are appointed by the President but serve without compensation except for expenses and are not employees of the agency. The Commission members only attend monthly meetings and do not even serve sufficient time to be considered special government employees or to be required to file Financial Disclosure Reports required by The Ethics in Government Act or E.O. 11222.

The Commission relies on the regulations of the Department of the Interior. Those regulations have been supplied to you by the Department. A copy of those regulations are provided to each Commission employee and each employee is issued an annual reminder. Employees are charged with the responsibility of being familiar with the regulations and complying with them. They also are responsible for contacting us for advice if there are any problems or questions about the interpretation of the regulations or adherence to them.

No adverse actions have been taken in the last three years and no warnings have been issued based on violations of the Standards of Conduct in that period.

We trust that this satisfies your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary D. Ellis".

Mary D. Ellis
Chief, Division of Personnel Services,
Office of Administrative Services

2296

COMMODITY FUTURES TRADING COMMISSION
2033 K STREET, N.W., WASHINGTON, D.C. 20581



February 17, 1984

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
511 House Office Building Annex 1
Washington, D. C. 20515

Re: Ethics Program of the Commodity Futures
Trading Commission

Dear Mr. Chairman:

This is in response to your recent inquiry regarding the ethics program of the Commodity Futures Trading Commission (the "Commission"). Specifically, you request that we summarize the following elements of the Commission's ethics program: (1) the process and content of the educational program for Commission members and employees; (2) the process used to enforce Standards of Conduct, including a list of personnel actions taken and warnings of potential violations of the Commission's Standards of Conduct; and (3) the system for providing advisory opinions or rulings on ethics matters. In addition, you request that we provide you with a copy of the Commission's Standards of Conduct which were promulgated pursuant to Office of Personnel Management regulations, 5 C.F.R. §755.

The Commission's Code of Conduct, 17 C.F.R. §140.735-1, et seq. (1983) (attached as Attachment A), establishes ethical standards of conduct for the four hundred and sixty-eight (468) full-time, permanent members and employees¹ and eighteen (18) "other than permanent" employees of the Commodity Futures Trading Commission. The General Counsel serves as the Designated Agency Ethics Official ("DAEO") under 5 U.S.C. §735.105(a), and is assisted in this regard by a Deputy General Counsel, who serves as the alternate DAEO, and two attorneys who serve as Ethics Counselors to Commission members and employees. The DAEO, Alternate DAEO and Ethics Counselors are available to provide advice and guidance on questions of conflicts of interest and other questions raised under the Commission's Code of Conduct.

Immediately upon the commencement of their Commission employment, employees are each provided with a copy of the Commission's

¹/ The Commission's professional staff is composed primarily of attorneys and economists.

Code of Conduct (Attachment A), as well as with an Executive Personnel Financial Disclosure Report (SF 278) in the case of Commission members and designated senior employees, or a Confidential Statement of Financial Interests and Outside Employment (CFTC Form 19), in the case of *inter alia*, attorneys, auditors, economists, futures trading specialists and investigators. See 17 C.F.R. §140.735-7 (1983). The Office of Personnel advises the employee that any questions he/she may have regarding the completion of the financial disclosure report or any other question arising under the Commission's Code of Conduct should be directed to the General Counsel in his capacity as Designated Agency Ethics Official.

The General Counsel answers all such questions which in the past have fallen into the following three major categories: (1) questions relating to post-employment restrictions; (2) questions relating to personal financial holdings; and (3) questions relating to outside non-governmental employment. With regard to post-employment restrictions on former Commission members and employees, the Commission's Code of Conduct, 17 C.F.R. §140.735-10(g), provides that persons in doubt as to the applicability of the post employment restrictions set forth in Section 140.735-10 may apply in writing for an advisory ruling from the General Counsel. An example of such an advisory ruling by the General Counsel is attached as Attachment B. Questions relating to personal financial holdings and outside non-governmental employment are similarly answered on a case by case basis.

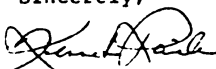
The General Counsel periodically issues informational memoranda to assist Commission employees in complying with the Code of Conduct and Ethics in Government Act of 1978. Attached for your information are informational memoranda to Commission employees regarding, *inter alia*, amendments to Section 9(d) of the Commodity Exchange Act, creating certain exceptions from the general bar against investment transactions by Commission employees in actual commodities (Attachment C); restrictions on post-employment activities of Commission members and employees (Attachment D); amendments to the Commission's Code of Conduct, 17 C.F.R. §140.735-8(a), establishing a new procedure for obtaining approval of travel expense reimbursement (Attachment E); and notification requirements concerning non-governmental employment (Attachment F).

With respect to the enforcement of the Commission's Code of Conduct, the General Counsel has on occasion orally advised Commission employees that certain of their present or proposed financial investments pose a conflict or an appearance of a conflict of interest, and that they should therefore divest themselves or fashion an alternative means of resolving the real or apparent conflict of interest. Similarly, the General Counsel has informed former Commission employees that their representation of certain clients before the Commission or in Court appeared to violate the Commission's Code of Conduct, 17 C.F.R. §140.735-10, Canons 4 and 9 of the American Bar Association Code of Professional Responsibility and the disciplinary rules promulgated thereunder; and on this basis requested their withdrawal from the representation of these clients. See Attachments G and H. On one such occasion, the Commission moved

to disqualify a law firm employing a former Division of Enforcement attorney who had participated personally and substantially and had been privy to nonpublic information regarding the matter at issue in the litigation. Kadish and Berman v. Commodity Futures Trading Commission Civil Action No. 82 C 3331; Commodity Futures Trading Commission v. Kadish and Berman, Civil Action No. 82 C 3387 (N.D. Ill.). In another instance, the Commission filed a Memorandum of Law to assist a United States Court of Appeals in its consideration of a private party's motion to disqualify a former Commission employee from acting as counsel for the appellee. See Kessenich v. Commodity Futures Trading Commission, 684 F.2d 88 (D.C. Cir. 1982). Finally, the Commission has referred a number of cases to the Department of Justice for criminal prosecution pursuant to 18 U.S.C. §§ 202-209.

I hope that this answers any questions you may have regarding the Commission's ethics program. Should you have any further questions or require further information please do not hesitate to contact me.

Sincerely,



Kenneth M. Raisler
General Counsel and
Designated Agency Ethics
Official



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

FEB 16 1984

OFFICE OF THE
GENERAL COUNSEL

February 14, 1984

Honorable Don Albosta
Chairman
U. S. House of Representatives
Committee on Post Office and
Civil Service
Subcommittee on Human Resources
511 House Office Building, Annex 1
Washington, D.C. 20515

Dear Chairman Albosta:

As the Designated Ethics Official of the Consumer Product Safety Commission, I am pleased to respond to your letter regarding our agency's ethics program.

In response to your first question, we have an informal educational program relating to our Employee Standards of Conduct for our approximately 600 employees. Each new employee receives a copy of the Commission's Employee Standards of Conduct regulations and each new employee is invited to call the Designated Ethics Official about any questions that may arise. The Designated Ethics Official and two attorneys from our Office of the General Counsel provide informal counseling regarding ethics issues, and many employees consult them informally when questions arise. In addition, the Designated Ethics Official provides written guidance where necessary. The Designated Ethics Official also distributes to employees memoranda on general issues, when it appears that a number of employees have the same questions. (Three of these memoranda are enclosed for your information.)

We have not had the need to take adverse personnel actions or issue warnings based on violations of our Employee

Standards of Conduct. Our enforcement of our Standards of Conduct arises most often during review of financial disclosure reports or during review of requests for outside employment. Our procedure is to informally discuss potential conflicts situations with the employee involved. We receive about 325 confidential financial disclosure reports and 27 public reports each year. We have found no actual conflicts of interest but have alerted employees to the need to recuse themselves from matters where there might be a conflict of interest or an appearance of a conflict. We have never found an actual conflict of interest situation during these reviews of financial disclosure reports.

We review formal requests for approval of outside employment in accordance with our regulations at 16 C.F.R. Part 1030, Subpart D. In some instances we have refused to approve such requests based on the criteria in Section 1030.401.

In addition, the Designated Ethics Official provides guidance, on request, regarding other matters covered by the Employee Standards of Conduct, such as acceptance of gifts, or post-employment conflicts.

In response to your third question, enclosed are: a copy of our Standards of Conduct (16 C.F.R. Part 1030) and copies of three memoranda, mentioned above, that we have written on general issues that arise under the Employee Standards of Conduct. We utilize no system of advisory opinions or rulings in addition to that of the Office of Government Ethics.

Please let me know if you need any further information.

Sincerely,

Margaret A. Freeston

Margaret A. Freeston
Deputy General Counsel

Enclosures

2301



U.S. Department of Justice

Office of Justice Assistance, Research,
and Statistics

*Coordinating Council on Juvenile Justice & Delinquency
Prevention*

Washington, D.C. 20531

FEB 13 1984

February 9, 1984

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter requesting information regarding the ethics program in the Justice System Improvement Act agencies. The JSIA agencies within the Department of Justice are the Office of Justice Assistance, Research, and Statistics (OJARS), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Institute of Justice (NIJ), and the Bureau of Justice Statistics (BJS).

The JSIA employees' ethical conduct is governed by the Department of Justice Standards of Conduct, 28 C.F.R. 45-735.1, et seq. The OJARS Office of General Counsel is responsible for counseling employees on their responsibilities under the Standards, and works closely with the Department's Office of Professional Responsibility in investigating alleged violations.

The Office of General Counsel conducted four Standards of Conduct training sessions in 1983 for agency employees, including the four Presidential appointees who head the offices listed above. The General Counsel's Office also offers formal and informal advice to employees who request opinions about potential ethical problems. The Office estimates that it offered advice on Standards of Conduct and Ethics in Government Act questions to approximately 30 employees or ex-employees last year. No adverse actions were taken, or warnings issued, on the basis of unethical conduct last year.

I am enclosing for your review a copy of the Department Standards and the "Case Problems" list used by the Office of General Counsel in its ethics training sessions. If you need anything further concerning this matter, please let me know.

Sincerely,


Stephen Boyle
Assistant Director for
Congressional and Public Affairs

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL
DISTRICT BUILDING
WASHINGTON, D. C. 20004



February 9, 1984

FEB 13 1984

Honorable Don Albosta
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D. C. 20513

Dear Chairman Albosta:

This is in reply to your letter dated February 1, 1984 regarding a review of ethics programs by the Subcommittee on Human Resources.

The Standards of Conduct for all District Government employees, which are issued pursuant to D.C. Code, sec. 1-619.1 (b), were recently revised and published in the October 28, 1983 edition of the District of Columbia Register. (enclosed) Thus, all employees should be aware that they are expected to maintain a high level of ethical conduct. However, if any questions arise regarding these regulations or the conduct of a specific employee, in accordance with Section 1812, the employee or his supervisor may confer with and seek an advisory opinion from the Ethics Counselor, D. C., or the ethics counselor for the District Government agency.

The Office of the Corporation Counsel does not enforce the Standards of Conduct. However, the Personnel and Labor Relations Section of this Office does represent the District Government before the Office of Employee Appeals which is the final administrative appellate authority with respect to adverse action appeals by all District employees.

With regard to a list of adverse personnel actions taken and warnings issued, the Office of Personnel would appear to be the appropriate agency to contact.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Inez Smith Reid

Inez Smith Reid
Corporation Counsel, D. C.

2303

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 13 1984

1984 FEB 14
OFFICE OF
GENERAL COUNSEL

Honorable Donald J. Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In your letter of February 1, 1984 you asked that I discuss certain elements of the EPA ethics program to assist your Subcommittee in its review of federal agencies' ethics programs.

The first area which you asked me to discuss is our educational program for employees and officials, which consists of the following:

1. All Presidential appointees are given an individual briefing which provides the information summarized in the enclosed outline.
2. All new employees are provided a copy of the EPA Standards of Conduct at 40 C.F.R. Part 3. In addition, all employees have been furnished a copy of the enclosed pamphlet entitled "Guidance on Ethics and Conflicts of Interest."
3. On March 1, 1984 we will conduct a conference on the conflict of interest statutes and the EPA ethics program for the Agency's Deputy Ethics Counselors and their assistants. A copy of the Administrator's invitation to the conference and the proposed schedule is enclosed. The Deputy Counselors share the responsibility with the Designated Agency Ethics Official to counsel employees on ethics matters.
4. To assist the Deputy Counselors to carry out their responsibilities, I have initiated this year formal "EPA Ethics Advisories" to the Deputy Ethics Counselors to keep them informed of new developments.
5. We also conduct training sessions for individual EPA offices, and we provide frequent written and oral advice to individuals at their request.

Your second area of concern is the process we use to enforce the standards of conduct. Our procedures are as follows:

1. The chief means of assuring compliance is the system of financial reports under the Ethics in Government Act and confidential statements of employment and financial interests under Executive Order 11222. As Designated Agency Ethics Official I review the public statements filed under the Ethics in Government Act and ensure that any necessary remedial action is taken to avoid violations. The Deputy Ethics Counselors are responsible for ensuring that employees at grades GM/GS 13-15 who participate in matters affecting outside financial interests file confidential statements, reviewing the statements and taking any necessary remedial action. Remedial action consists of: (1) recusal from participation in matters involving or affecting an organization in which an employee has a financial or employment interest; (2) obtaining a waiver from the Designated Agency Ethics Official under 18 U.S.C. §208(b)(1); (3) reassignment; (4) divestiture; or (5) establishment of an appropriate blind trust.
2. Last year I issued standard operating procedures to set out the framework as to how I expect the ethics program at EPA to be administered. Copies of these procedures are enclosed. These procedures provide me with checks and balances to insure that at least the mechanics of collecting and reviewing financial reports and resolving potential conflicts of interest issues are followed in a timely manner.
3. By September 30 of each year, the Deputy Ethics Officials must provide a certification to the Designated Agency Ethics Official stating: (1) the number of employees at grades GM/GS 13-15 in their organizations and the number who have been required to file; (2) that all required statements have been received and reviewed; and (3) that all necessary remedial action has been taken.
4. Employees must also obtain the written approval of their Deputy Ethics Officials for certain types of outside employment.
5. This year, I have requested that the Office of Inspector General conduct annual audits in at least one EPA Headquarters Office and one EPA Regional Office to check on compliance with our standard operating procedures and to evaluate the decisions made by Deputy Counselors. The Inspector General has agreed to conduct such annual audits. I look forward to this part of our program as giving us the ability to better

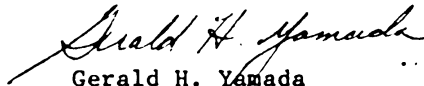
enforce the conflict of interest laws and regulations and our standard operating procedures.

You also asked that I list adverse personnel actions taken and warnings issued based on violations of the standards of conduct. Since there is no central list of adverse personnel actions, we cannot provide this information within the time you requested. However, we are discussing this matter with the Office of Inspector General and the Office of Personnel to explore whether such a list can be developed. I will keep you informed of our progress.

Finally, you asked for a copy of our current regulations under 5 C.F.R. Part 735 and a copy of any general guidelines we have issued. Copies of these regulations and guidelines are enclosed, along with a copy of our draft regulations to replace the current provisions at 40 C.F.R. Part 3. The Office of Government Ethics has approved these regulations, and we expect to publish them within the next few weeks.

I trust that this information is responsive to your concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gerald H. Yamada", is written over a horizontal line.

Gerald H. Yamada
Deputy General Counsel
Designated Agency Ethics
Official

Enclosures



EXPORT-IMPORT BANK OF THE UNITED STATES
WASHINGTON, D.C. 20571

OFFICE OF THE
GENERAL COUNSEL

February 16, 1984

The Honorable
Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

As you requested in your letter of February 1, 1984, I will attempt to summarize in this letter the current ethics program of Export-Import Bank of the United States.

We have within the last two years substantially revised our agency regulations on standards of conduct to conform to the Ethics in Government Act and regulations of the Office of Personnel Management. A copy of the revised standards of conduct has been provided to each employee, and new employees receive copies when hired. Each year the Chairman circulates a memo to all employees emphasizing the conduct expected in the more common situations involving ethical considerations. Beyond these educational steps all employees are made aware of the availability of the Eximbank designated ethics officer and the ethics committee for consultation on particular matters.

These standards of conduct are enforced generally by attempting to avoid situations in which breaches might occur. This is done in the first instance by warning all employees in the educational program mentioned above on conduct that must be avoided. Such warnings are reinforced by annual confidential disclosure statements required from all employees above the GS-11 grade in addition to the public financial statements required under the Government in Ethics Act. If such statements indicate a potential conflict, the employee is notified and steps taken to eliminate the conflict, such as recusal from consideration of a particular case, divestiture of holdings or disassociation from a particular transaction, credit or entity. In almost all cases this procedure has avoided conflict situations before they arise.

In response to your question regarding a system of advisory opinions, while we have not established a formal system, my deputy ethics officer and I do counsel and offer advice and opinions as the occasions arise. This has resulted in the accumulation of memoranda on a number of issues.

2307

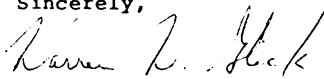
As you have requested, I enclose a copy of Eximbank regulations on standards of conduct, as published in the Federal Register, and the last annual message sent by the Chairman to all employees on June 21, 1983.

In summary I would like to add a thought on the ethics program at Eximbank. We are a relatively small agency with about 350 employees, all in one location, so that a considerable amount of personal contact between officers and staff is possible. This reduces to a significant extent the need for formal procedures that might be essential in agencies or departments of Government with several thousand employees, often spread throughout the country.

I believe, in the last analysis, that the best defense against ethical misconduct is an informed and conscientious staff who can be relied on to avoid the unethical conduct of which they have been forewarned. We are confident that our program and the caliber of our staff does achieve this result, and that our program can also detect any ill-advised or obtuse conduct that might occasionally occur.

If I can be of any further assistance please let me know.

Sincerely,



Warren W. Glick
General Counsel

Enclosures

Farm Credit Administration

490 L'Enfant Plaza
Suite 4000
Washington, DC 20578
(202) 755-2195

February 24, 1984

Honorable Donald J. Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building - Annex #1
Washington, DC 20515

Dear Congressman Albosta:

This responds to your letter of February 1, 1984, requesting information about the Farm Credit Administration's ethics program. FCA is a small agency consisting of about 300 employees. Only a few of these are subject to the provisions of the Ethics in Government Act. Because I serve as the agency's director of human resources as well as its ethics officer, I am personally acquainted with all FCA executive personnel who are subject to the provisions of the Act. I provide them with personal counseling in connection with any issue extending from reviews of financial disclosure statements, potential conflicts of interest, and related subjects.

We also have a standards of conduct program for other personnel below the executive level. Issues normally are referred to my level for review and initiation of any necessary administrative action. Again, I am personally acquainted with most of our employees who serve in these other positions that are sensitive from the standpoint of our ethics program. Periodically, we also request and review appropriate disclosure statements from these employees.

As noted in our employee handbook, all new personnel receive a copy of "FCA Employee Responsibilities and Conduct" with their orientation upon appointment, and are obliged to follow these agency regulations (see attached Chapter 735), which also serve as administrative guidelines to agency supervisors and managers. In addition, I am enclosing copies of the agency personnel handbook chapters implementing provisions of the Ethics in Government Act.

Although we coordinate closely with our Office of General Counsel, we do not have a formal system for seeking advisory opinions or rulings on ethics-related matters. We have not encountered any major problems that required recourse to a formal procedure or litigation for resolution. All issues have been settled effectively with advice, as necessary, from the Office of Government Ethics.

Sincerely,



Charles R. Row, Director
Human Resources Division
(Designated Agency Ethics Officer)

Enclosures

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

February 22, 1984

Honorable Don Albosta, Chairman
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Chairman Albosta:

This is in response to your letter of February 1, 1984, concerning the Subcommittee's review of ethics programs.

As you know, over and above the ethics requirements imposed on all agencies by Executive Order 11222, the Ethics in Government Act of 1978, as amended, and 5 C.F.R. Part 735, the Communications Act of 1934, as amended, establishes specific limitations on the financial interests of our employees. Consequently, our ethics program is so structured as to insure not only acceptable conduct, but also to guide employees in the acquisition of stocks, bonds, etc. of corporations that come within the Commission's regulatory responsibilities.

Exposure to our standards of conduct begins before actual employment. As part of the screening process, an applicant has to complete a disclosure form wherein the applicant acknowledges that the standards were read, and then states that neither applicant nor family have financial interest in any "corporation, company, firm, or other business enterprises," (Enclosure 1). Whenever such interest is indicated, the personnel processing is stopped, and the individual is referred to my office for counseling. A close examination of the interest is made and, where a conflict is found to exist, resolution will be required prior to my approval of the hiring action.

Annually, all employees are required to report that they are in compliance with our ethics regulations. The degree of disclosure varies; those in grade GS-12 or below will acknowledge through their employing Bureau that they are in compliance. Specific guidance is provided (Enclosure 2).

Seven hundred employees in grades 13 or above, but not subject to the reporting provisions of the Ethics in Government Act, submit their reports on our Form A-54 (Enclosure 3). Those subject to the Act, a total of 95 employees, will file the detailed disclosure statement (SF 278).

Separate from the formalized reporting process is the informal counseling of employees, who are encouraged to consult with the General Counsel in his capacity as legal counselor for the Commission on ethical conduct matters or with the undersigned on matters relating to 5 C.F.R. Parts 734 and 737.

The Communications Amendments Act of 1982 amended Section 4(b) of the Communications Act of 1934 to remove the almost absolute bar against FCC employees having any financial interest in a great portion of American

industry. It was the Congressional intent to improve upon the integrity of the regulatory process by assuring that members of the Commission and its employees will not have conflicts of interest of any meaningful consequence, while at the same time not precluding the ownership of the financial interests in entities that are only indirectly subject to the Commission's jurisdiction. For the first time, a "minimal" interest provision is established, under which the Commission may waive the ownership provisions for employees (Enclosure 4).

In addition to the above provisions, the Communications Amendments Act of 1982 brought relief in another area, also related to conflicts of interest/standards of conduct. Section 4 (g)(2)(A) allows the Commission to accept direct reimbursement from private entities, under certain circumstances, for travel expenses incurred by Commissioners and employees attending privately-sponsored functions. Congress provided for a three-year experiment, beginning in fiscal year 1983 (Enclosure 5).

The process used to enforce the Commission's Standards of Conduct is by application of § 19.735-107, Disciplinary and other remedial action. Under this section, the Chairman designates an officer or employee who will investigate all incidents or situations in which it appears that employees may have engaged in improper conduct. Normally, such investigations are conducted by my office. They have resulted in actions being taken that range from clearing the employee to reprimands and resignations. Distinct from specific acts of misconduct, we have not encountered acts of willful omission or falsification of financial disclosures made either under Executive Order 11222 or the Ethics in Government Act. If anything, it has been our experience that employees are cooperating, frequently inquiring into the status of specific corporations as they relate to the Communications Act, and making a sincere effort to meet all existing ethics requirements. Advisory opinions or rulings, in addition to those by the Office of Government Ethics, are issued by our Office of General Counsel on an ad-hoc basis, on such matters as spousal interests and potential post-employment problems. Copies of general releases are provided (Enclosure 6).

I trust that the above is responsive to your inquiry.

Sincerely,



Fred J. Goldsmith
Designated Agency Ethics Official

Enclosures

FDICFederal Deposit Insurance Corporation
Washington, DC 20429

Office of the Executive Secretary

February 17, 1984



Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
511 House Office Building, Annex 1
Washington, D. C. 20515

Dear Mr. Chairman:

This letter responds to your request of February 1, 1984, for information pertaining to the Federal Deposit Insurance Corporation's Ethics Program. Specifically, you requested an explanation of the process and the content of the Corporation's educational program for employees and officials in regard to the standards of conduct; a description of the process used to enforce those standards of conduct, including the initiation of adverse personnel actions, if any; and a copy of the Corporation's standards of conduct regulations together with a copy of any guidelines or rules the Corporation uses in the administration and enforcement of its Ethics Program.

Educational Program

As a part of its educational program, the Corporation provides a copy of Part 336 of its rules and regulations, entitled "Employee Responsibilities and Conduct," to each new employee at the time of his or her entrance on duty. Additionally, the Corporation's Ethics Counselor transmits a copy of Part 336 to all employees once each calendar year, under the cover of a memorandum which admonishes employees to become familiar with the provisions of Part 336 and encourages them to direct any questions or requests for counseling and guidance to the Ethics Counselor or the Deputy Ethics Counselors, whose names are listed in the memorandum.

At the present time, structured training with respect to the Corporation's standards of conduct regulations is provided only by the Division of Bank Supervision, which employed 2,051 of the Corporation's 3,762 employees as of December 31, 1983. At the time of entrance on duty, each new examiner participates in an orientation session conducted at the regional office headquarters of the region to which he or she is assigned. Each orientation session includes a standards of conduct segment which is presented by the regional counsel or a senior bank examiner. During the first six months following his or her entrance on duty, each new examiner is required to attend a two-week "School for Assistant Examiners" which is conducted by the Division of Bank Supervision at its training facilities

located in Washington, D. C. The "School for Assistant Examiners" also includes a standards of conduct segment presented by the Ethics Counselor or a member of his staff and the Assistant Director (Administration) of the Division of Bank Supervision.

Following the attainment of "commissioned" status at the end of four to five years of employment with the Corporation, commissioned examiners are required to attend a two-week "School for Commissioned Examiners" which is also conducted by the Division of Bank Supervision at its training facilities located in Washington, D. C. The "School for Commissioned Examiners" includes a two- to three-hour segment on standards of conduct which is presented by one of the Corporation's regional counsels or a member of the staff of the Office of Government Ethics. The instructor for each of those segments uses a videotape, entitled "The Consent of the Governed, An Enduring Public Trust," released under the auspices of the President's Council on Efficiency and Integrity, and discusses the videotape's seven vignettes in the context of the job responsibilities and duties of the members of the audience.

The Division of Liquidation, which employed 1,153 of the Corporation's 3,762 employees as of December 31, 1983, is now in the process of developing training programs for its staff which will parallel in scope the training programs developed by the Division of Bank Supervision for the Corporation's examiner staff. We have been assured that the Division of Liquidation's training programs will include extensive instruction with regard to the Corporation's standards of conduct regulations.

The Legal Division, in consultation with my office, has under development a comprehensive training program for its staff which will focus on the Corporation's standards of conduct regulations, the Code of Professional Responsibility, and post-employment conflict-of-interest restrictions. Attendance at that full-day training program, which is expected to be presented in May or June of this year, will be compulsory for attorney staff. It is anticipated that that program will be followed by orientation sessions for new attorneys and refresher courses for the permanent attorney staff.

The Corporation's Office of Personnel Management has just recently committed to the development by its training staff, for presentation during 1984 and subsequently, of ethics training programs for all other employees of the Corporation, particularly those whose responsibilities involve contracting and procurement.

Enforcement of the Standards of Conduct

At present, approximately 1,800 of the Corporation's 3,762 employees file annually either Financial Disclosure Reports (SF 278s) pursuant to the Ethics in Government Act of 1978 or Confidential Statements of Employment and Financial Interests pursuant to Executive Order 11222 and the Corporation's implementing regulations. (As a result of consultations with the Office of Government Ethics following the publication for comment of a proposed revision of the Corporation's standards of conduct regulations, the requirement for the annual filing of Confidential Statements of Employment and Financial Interests may be extended to an additional 600-800 employees.) Additionally, under the provisions of the Corporation's standards of conduct regulations, (1) all bank examiners are required to keep their supervisors continuously apprised as to the status of all their loans and credit cards, and (2) all employees are required to report any interest in a bank, financial institution, or other entity which may be affected by a particular Corporation decision.

Our review of those numerous reports has disclosed very few actual conflicts of interest but only the potential for conflicts of interest if a reporting employee were to be assigned to participate in an examination of, or in a decision which could have an impact on, an institution in which he or she had a financial interest or to which he or she was indebted. (The information garnered from the reports is used by supervisors to assure that employees are not assigned to participate in matters involving institutions in which they have a financial interest or to which they are indebted.) Those potential conflicts of interest have been handled by the execution and filing by employees of letters of recusal or the issuance by the Ethics Counselor of letters of disqualification.

During the five-year period I have served as its Ethics Counselor, the Corporation has ordered divestiture, over a two-year period, of substantial blocks of bank stock inherited by four employees and, pending divestiture, has disqualified the employees from participating in decisions which could have an impact on the banks whose stocks were owned or any competitors thereof. The Corporation is now reconsidering those decisions and, since the time periods for those required divestitures have not expired, in all likelihood will substitute disqualification for divestiture as a means of enforcement of its standards of conduct regulations.

In another case, the Corporation required an employee to divest himself of a partnership interest in a firm which was being organized to provide consulting services to credit unions. Since credit unions are competitors of banks which are insured, supervised, and regulated by the Corporation, and since disqualification from assignments involving bank competitors

of credit unions which might have become clients of the firm would have seriously interfered with his ability to perform his Corporation duties and responsibilities, the Corporation felt, and the employee agreed, that divestiture was the only appropriate remedy for what might have become a serious conflict of interest.

Over the period of the past five years, the Corporation has identified the following outside activities or employment as incompatible with Corporation employment:

Service by a bank examiner as a "corporator" of an uninsured mutual savings bank;

Service by a financial analyst who has routine access to bank examination reports and financial data as a director of an uninsured savings and loan association;

Service as a registered representative with a national securities firm which manages several mutual funds that invest a percentage of their assets in bank securities;

Service as a consultant engaged in furnishing financial, data processing, compliance, and accounting services to nonbank financial institutions.

In all but one case, the Corporation obtained the voluntary resignations of employees from those conflicting positions or incompatible activities. In the one case, the Corporation initiated proceedings for termination of the employee's employment but the employee resigned from the conflicting position during the course of the proceedings and before the termination was effected.

In one case, the Corporation effected a two-grade demotion of an employee based, in part, upon conduct (acceptance of gifts, favors, and entertainment from persons who have contractual or other business or financial relationships with the Corporation) which appeared to have violated the Corporation's standards of conduct regulations.

The Corporation has recently initiated proceedings for termination of the employment of an employee who appears to have used official information obtained through his Corporation employment, which information had not been made available to the general public, for the purpose of furthering a private interest and who may have violated the Federal prohibition against personal and substantial participation by Federal employees in matters involving organizations in which they have a financial interest (18 U.S.C. 208(a)). The Corporation is now awaiting the employee's response to the charges and is also consulting with representatives of

the Department of Justice and the Securities and Exchange Commission to determine whether referral of the matter for investigation and prosecution or suit by those agencies is warranted.

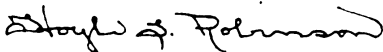
The Corporation's Standards of Conduct Regulations

As you requested, enclosed is a copy of the Corporation's current standards of conduct regulations. Also enclosed is a proposed revision of those regulations which was issued for public comment for a 60-day comment period on November 8, 1983. Although the period for comment on the proposed revision expired on January 7, 1984, we are still awaiting the views of the Department of Justice on the consistency of the proposed revision with Federal statutes, executive orders, regulations, and case law.

The Corporation has not yet issued general guidelines for use by employees in complying with the standards of conduct regulations but it expects to issue such guidelines simultaneously with the issuance of revised standards of conduct regulations. Moreover, no later than September 1, 1984, we intend to have in place a mechanism for periodically issuing written guidance to employees or classes of employees on matters of general concern (e.g., the development of affiliate relationships which may affect their ability to borrow, the views of the ethics staff as to what types of outside employment may be considered to conflict with their Corporation employment, requirements for recusal with respect to matters involving organizations in which they or their spouses or dependent children have a financial interest, etc.).

If we can be of any further assistance, please do not hesitate to call upon us.

Sincerely,



Hoyle L. Robinson
Executive Secretary and Ethics Counselor

Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
House of Representatives
Washington, D.C. 20515

February 21, 1984

Dear Mr. Chairman:

This responds to your request for information regarding various aspects of the Ethics Program at the Federal Election Commission. Specifically, you seek information concerning our educational program for employees and officials in regard to Standards of Conduct and ask whether any adverse personnel actions have been taken or warnings issued based on violations of the Standards of Conduct. You also ask whether the Commission has promulgated any regulations under the general Standards of Conduct of 5 C.F.R. § 735. Finally, you ask for a copy of the Commission's Code of Ethical Conduct and a description of ethical advisory opinions or rulings issued at the Commission.

The Commission's Code of Ethics is contained in a booklet which sets forth in a simple, straightforward manner, the ethical obligations of an employee of the Federal Election Commission. A copy of the Code of Ethics is provided to all new employees. The Commission also periodically circulates to staff memoranda or articles on Standard of Conduct issues. To our knowledge, there have been no adverse personnel actions taken or warnings issued based on a violation of the Commission Code of Ethics since at least the enactment of the Ethics in Government Act of 1978.

In response to your request for a copy of current regulations promulgated under 5 C.F.R. § 735, the Commission has not promulgated regulations pursuant to that provision. The Office of General Counsel is currently examining the extent and nature of the Commission's obligation to promulgate regulations under the minimal standards of Part 735.

With regard to your question concerning an advisory opinion system, the Commission's General Counsel is designated the Commission's Ethics counsel under the Code of Ethics and for purposes of 5 C.F.R. § 735.105(a). The General Counsel is always available to answer Standard of Conduct questions and renders both informal oral opinions and formal written opinions. A file is kept on Ethics opinions rendered regarding the Code of Ethics. A copy of the Commission's Code of Ethics is enclosed for your Subcommittee.

I hope these responses will be helpful. If I can provide the Subcommittee with any additional information, please do not hesitate to contact me.

Sincerely,

Charles W. Steele
General Counsel

2317



Federal Emergency Management Agency

Washington, D.C. 20472

FEB 22 1964

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

Enclosed please find a response to your recent letter inquiring about the Federal Emergency Management Agency ethics program. Also enclosed is a copy of the FEMA Standards of Conduct, 44 C.F.R. § 3.1 et. seq., per your request.

If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,

George W. Jett
General Counsel

Enclosures

2318

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

FEB 13 1984

Honorable Don Albosta
Chairman, Subcommittee on Human
Resources
Committee on Post Office and
Civil Service
House of Representatives
Washington, D.C. 20515

FEB 13 1984

Dear Mr. Chairman:

I am happy to summarize certain elements of the Commission's ethics program, in response to your request of February 1, 1984.

To help employees familiarize themselves with their ethics obligations, the Commission has distributed a booklet entitled "Standards of Conduct for Employees," which contains regulations of the Department of Energy applicable to the FERC and the Commission's own ethics rules (which we are now in the process of revising and updating). On joining the Commission and thereafter, employees are subject to extensive reporting requirements that go well beyond those governing most federal workers. These requirements are described below. Employees are also expected to consult the General Counsel's Office of Legal and Administrative Affairs if they are uncertain about any question of conduct. This office provides complete counseling and advisory services and answers all requests for formal and informal opinions and rulings. Hundreds of employees have sought and received advice on a wide range of specific ethical issues, including questions about gifts and reimbursements, financial holdings, employment negotiations, and post-employment restrictions. In providing advice, we have frequently consulted with the Office of Government Ethics and have been guided also by opinions of the Office of Legal Counsel of the Department of Justice. Enclosed are copies of the "Standards of Conduct for Employees" and Commission guidelines on the reimbursement of travel expenses.

In the past, the Commission's personnel and administrative services were provided largely by DOE. Our common support agreement with the Department has recently terminated, and we are now responsible for our own personnel and administrative functions. In line with these new responsibilities, we will hold bi-monthly briefings to explain the rules of conduct, especially for the

benefit or new employees, and may, in addition, schedule occasional briefings on specific topics of general interest. Also, lawyers in the Office of Legal and Administrative Affairs will participate in OGE and Justice Department training conferences, as they have in the past.

Next, the Commission's enforcement of the standards of conduct depends to an extent on the referral of problems and information by Commission personnel and, sometimes, members of the public. The key to the enforcement effort, however, are the financial reports that most employees file on joining the Commission and each year thereafter.

Senior employees (GS-16 and above) and political appointees must submit the "long form" reports (Form 278) mandated by the Ethics in Government Act. These require a detailed listing of family financial interests, gifts and reimbursements, outside employment relationships and other associations with private organizations, and credit arrangements. Form 278 reports are available to the public upon request.

Unlike most federal agencies, the Commission follows DOE in requiring all mid-level employees and many junior personnel, including nearly all professionals, to file financial disclosure reports as well. These ("short form") reports require employees to identify family financial holdings and all employment and other official relationships with companies and organizations. They consist of two sections--Part A, which deals with energy concerns and is available to the public on request, and Part B, which deals with all other interests and is confidential. A copy of the "short form" is enclosed for your information.


Every financial disclosure report is reviewed by this office--the Form 278s are submitted to us directly while the reports of mid-level and junior employees are reviewed initially by their supervisors and subsequently by this office. The purpose of the review is to make sure that employees avoid prohibited financial interests and associations that may conflict with their employment or detract from their ability to meet official responsibilities. Officials and employees have in numerous instances been required to divest themselves of financial holdings or, less frequently, place them in blind trusts. Also, a number of employees have been instructed to refrain from participating in matters involving a particular company or law firm to avoid the fact or appearance of a conflict.

2320

(Our scrutiny of financial reports and our counseling services have, in my judgment, reduced the incidence of ethics violations. Over the past 2 years, two employees have been suspended and one has been reprimanded for misusing government property and a fourth employee has resigned over similar charges. Three employees have received warning letters, two of them relating to bad debts and the third to a possible travel violation. Also, one employee has resigned rather than face conflict of interest charges. Finally, allegations of conflicts against two employees have been referred to our Enforcement Division, where they are currently under investigation.)

I hope this information is helpful to you. If you should have any further questions, please feel free to contact me.

Sincerely,


Michael Schopf
Deputy General Counsel for
Legal and Administrative Affairs

Enclosures

Federal Financial Institutions Examination Council, Washington, D.C. 20219



FEB 13 1984

FEB 13 1984

February 9, 1984

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Mr. Chairman:

I am responding to your letter of February 1 regarding the subcommittee's review of ethics programs in Federal agencies.

The Examination Council is an agency responsible for coordinating the examination and supervisory activities of the five federal agencies represented on the Council. These Council activities are administered by a small staff of nine people, each of which is detailed from one of the agencies represented on the Council. Consequently, each of our employees is subject to the policies of the agency from which he or she is detailed.

Sincerely,

Robert J. Lawrence
Executive Secretary

Federal Home Loan Bank Board

1700 G Street, N.W.
 Washington, D.C. 20552
 Federal Home Loan Bank System
 Federal Home Loan Mortgage Corporation
 Federal Savings and Loan Insurance Corporation

February 14, 1984

Honorable Donald J. Albosta
 Chairman
 Subcommittee on Human Resources
 Committee on Post Office and
 Civil Service
 House of Representatives
 Washington, D.C. 20515

Dear Chairman Albosta:

In your letter of February 1, 1984, you requested the following information from this agency concerning our ethics program.

The standards of conduct educational process begins as a part of new employee orientation, with each employee receiving an Employee Handbook (copy enclosed) and a discussion on the standards by the Personnel Management Office. Annual written notices on the standards are sent to each employee. In addition, all savings and loan examiners receive a standards of conduct briefing at the required New Examiners Training School.

Within the past five years, two employees have been terminated for violations of the standards. All other instances have been inadvertant holdings of prohibited stock and one instance of an unacceptable loan. The employees were directed to divest the stock and refinance the property. No adverse actions were deemed necessary. Consultation with the Personnel Management Office and Office of General Counsel enables many employees to recognize the potential for problems in time to avoid conflicts.

This Office maintains a file of all advisory opinions or rulings that we have issued. In addition, we use the Office of Government Ethics as a resource and subscribe to the Ethics in Government Reporter published by the Washington Service Bureau.

If I can provide any additional information, please call me at 377-6462.

Very truly yours,

Martha J. Watson
 Associate General Counsel

Enclosure

2323

Federal
Home Loan
Mortgage
Corporation

1776 G Street NW
PO Box 37248
Washington, DC 20013

Maud Mater
Vice President
General Counsel &
Corporate Secretary
202/789.4730

The Honorable Don Albosta
Chairman, Subcommittee on
Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

February 9, 1984

Dear Congressman Albosta:

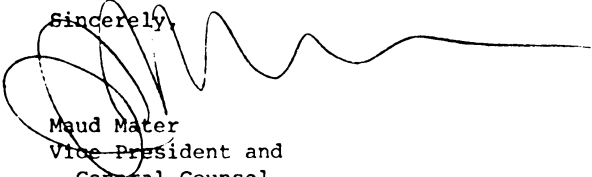
This letter is in response to your correspondence to me dated February 1, 1984 requesting information to assist the Subcommittee on Human Resources in evaluating the ethics program of the Federal Home Loan Mortgage Corporation ("Freddie Mac"). Responsibility for ensuring compliance with the Ethics in Government Act rests with Freddie Mac's Designated Agency Ethics Official ("DAEO") and the Alternate Designated Agency Ethics Official. In addition to my responsibilities as Vice President-General Counsel, I function as Freddie Mac's DAEO.

You have requested information regarding the process and the content of Freddie Mac's educational program for employees and officials with regard to ethical matters. Freddie Mac's corporate orientation for new employees includes a comprehensive presentation by our Legal Department on ethical matters. All employees are provided copies of Freddie Mac's Conflict of Interest Policy and they are encouraged to consult with the Corporation's ethics officials regarding individual concerns. Members of the Legal Department having responsibilities over ethics matters regularly attend meetings, conferences and seminars sponsored by the Office of Government Ethics in order to keep abreast of developments in this area.

You also ask for a description of the process used by Freddie Mac to enforce our conflicts policy, including adverse personnel actions and warnings. Freddie Mac's ethics officials diligently review all confidential and public disclosure statements. All questionable investments or activities are thoroughly investigated. If the investigation reveals a conflict, the matter is handled pursuant to Freddie Mac's conflict of interest policy. In addition, employees will occasionally solicit advisory opinions before undertaking activities which may constitute a conflict of interest. The Corporation's ethics officials review the facts and render opinions in essentially the same manner as would be the case with an actual conflict of interest. The Corporation's conflict policy does not provide for warnings or for the imposition of sanctions in the event of noncompliance with a directive from an ethics official. We are currently developing guidelines to address these matters.

I have attached a copy of our Conflict of Interest Policy promulgated pursuant to 5 CFR §735. Should you have any further questions, please feel free to call me or Keith Earley, Freddie Mac's Alternate Designated Agency Ethics Official.

Sincerely,



Maud Mater
Vice President and
General Counsel

2324

Office of the Federal Inspector

Alaska Natural Gas Transportation System

Room 2413, Post Office Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20044

D0024202

FEB 27 1984

Honorable Don Albosta
U.S. House of Representatives
Committee on Post Office and
Civil Services
Subcommittee on Human Resources
Washington, D.C. 20515

FEB 27 1984

Dear Mr. Albosta:

This responds to your letter of February 1, 1984, in which you requested summarization of certain elements of the Office of the Federal Inspector's (OFI) ethics program.

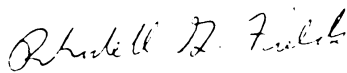
The OFI was established in 1979 to monitor the construction and initial operation of the Alaska Natural Gas Transportation System (ANGTS). On September 11, 1980, the OFI published its Employee Standards of Conduct (45 Fed. Reg. 60371), codified at 10 CFR Parts 1506. The Designated Agency Ethics Officer (DAEO) prepared an ethics briefing which was given to all of the Agency's employees, in its field offices as well as headquarters. The presentation provided the employees with a clear idea of what their ethical responsibilities were with respect to interaction with the project sponsors and other non-governmental entities.

At this juncture, there is no active ethics education program at the Agency. This is occasioned by the fact that the ANGTS sponsors have announced a substantial delay in the commencement of construction on Phase II of the project, including the Alaska segment. As a result, this Agency has reduced its staff significantly. From a peak strength of about 160 employees, the OFI currently has approximately 25 employees, assigned to four cities. However, all of OFI's current employees who interact with the sponsors and the public have had ethics briefings.

Employees were strongly urged to check with the DAEO if they had any misgivings about the propriety of certain actions (i.e., acceptance of gifts, food transportation, etc.). From the promulgation of the Standards of Conduct as a final rule, until now, there have been no adverse personnel actions taken for violation of the rules.

Enclosed are OFI's Standards of conduct and a copy of an informational chart explaining limitations on post-government employment.

Sincerely yours,



Rhodell G. Fields
Acting General Counsel

Enclosures

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
 WASHINGTON, D.C. 20424

February 9, 1984

Hon. Don Albosta
 Chairman, Subcommittee on Human Resources
 Committee on Post Office and Civil Service
 U.S. House of Representatives
 511 House Office Building, Annex 1
 Washington, D.C. 20515

Dear Mr. Albosta:

This letter is in response to your letter dated February 1, 1984, which was addressed to Mr. Ronald W. Haughton, former Chairman of the Federal Labor Relations Authority (FLRA), in which you requested certain information regarding the FLRA's ethics program. Chairman Barbara J. Mahone has asked me to respond to your request.


As I am sure you are aware, the FLRA is a relatively new agency which was created by the President's Reorganization Plan No. 2 of 1978. At this point in time we do not have in place a formal educational program for employees and officials regarding standards of conduct. The FLRA adopted the Office of Personnel Management's (OPM) regulations concerning ethical and other standards of conduct, contained in Parts 735 and 737 of title 5, Code of Federal Regulations, and is in the process of finalizing its own regulation on standards of conduct, ethics, and post-employment conflict of interest. It is anticipated that employees will be reminded annually of their responsibilities under this regulation. In addition, the FLRA intends to provide certain onsite training on these matters after issuance of the regulation.

Our regulation designates the Executive Director as the Agency Ethics Official who is responsible for reviewing situations involving violations of ethics and other standards of conduct regulations. To date, the FLRA has not had any violations and, therefore, has not taken any adverse personnel actions based solely on the governmentwide regulations. However, the Agency has removed one employee based partially on violation of standards of conduct and has issued several warnings based on violations of standards of conduct. Under the draft regulation, supervisors will be responsible for resolving conflicts of interest and other violations of the regulation, in conjunction with the advice and guidance of the Agency Ethics Official and the Agency Counselor (and/or Deputy Counselors). Any conflicts of interest not resolved at a lower level would be referred through the Agency Counselor to the Chairman.

A copy of the FLRA's draft regulation is enclosed for your information. The Agency has not issued any other guidelines nor has it utilized any system of advisory opinions or ruling in addition to that of the Office of Government Ethics.

I hope this information is helpful to you in conducting your review. If you have any additional questions regarding this matter, our Director of Personnel, Clyde B. Blandford, Jr., (telephone: 382-0751) would be the best source of information.

Sincerely,



Harold D. Kessler
 Deputy Executive Director

2326

FEDERAL MARITIME COMMISSION
WASHINGTON, D.C. 20573

FEB 13 1984

The Honorable Don Albosta
Chairman
Committee on Post Office and
Civil Service Subcommittee on
Human Resources
U.S. House of Representatives
Washington, D.C. 20515

February 9, 1984

Dear Congressman Albosta:

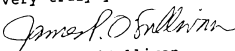
This is in response to your letter of February 1, 1984 requesting a summary of certain elements of the ethics program at the Federal Maritime Commission. In particular, you request an explanation of the process and content of the agency's educational program regarding standards of conduct and a description of the process used to enforce the standards of conduct.

The Federal Maritime Commission is a small regulatory agency with a full-time staff of approximately 240 employees. Because of its size, the Commission has been able to carry out its ethics education program by advising employees of changes and developments in federal ethics laws and regulations and their responsibilities under them as a specific need arises. In the past, the Commission has presented training films, conducted seminars, briefed particular offices and issued memoranda to employees regarding ethics matters including standards of conduct. We are now considering how we might develop a formal ethics education program suited to the size and needs of this agency.

With regard to enforcement of the standards of conduct, the Commission is fortunate in that it has not experienced serious ethical problems. The Commission has never taken an adverse personnel action or issued a warning based on a violation of the standards of conduct, with one exception. That single isolated incident involved a former member of the Commission and a letter of censure was issued shortly before the expiration of the member's term. Should a violation of the standards of conduct occur, the Commission will, of course, take whatever administrative or personnel action is necessary.

The Commission retains advisory opinions in the file of the employee requesting advice. The ethics officer is aware of past opinions and would utilize them where a similar ethics question arises. I am enclosing a copy of the current regulations of the Commission governing employee responsibilities and conduct. Please let me know if I may be of any further assistance to you in this matter.

Very truly yours,


James P. O'Sullivan
Ethics Officer

Enclosure

2327

FEDERAL MEDIATION AND CONCILIATION SERVICE
UNITED STATES GOVERNMENT
WASHINGTON, D.C. 20427

OFFICE OF THE DIRECTOR

FEB 13 1984

FEB 14 1984

The Honorable Don Albosta
U. S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building, Annex 1
Washington, D. C. 20515

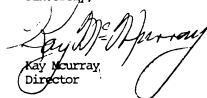
Dear Mr. Albosta:

This is in response to your letter of February 1, 1984, concerning a review of ethics programs in Federal agencies.

1. We intend to provide training for all employees, both field and headquarters personnel, this calendar year. The training will cover ethics considerations under Executive Order 11222 and the Ethics In Government Act.
2. Standards of Conduct are incorporated in the FMCS Directives Manual, and violations are subject to disciplinary action by the agency.
3. One written reprimand has been issued to an employee based in part on conflict of interest considerations.
4. A copy of this agency's current Standards of Conduct regulations are enclosed.
5. A copy of our Directives Manual provisions, relating to Standards of Conduct, are also enclosed.
6. This agency's Designated Agency Ethics Official, who is an attorney, provides opinions and rulings, for employees of FMCS. This is done in consultation with the Office of Government Ethics, as appropriate.

If there is any further information you need, I will be glad to provide it.

Sincerely,


Kay Murray
Director

Enclosure(s)

2328

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1730 K STREET NW, 6TH FLOOR
WASHINGTON, D.C. 20006

OFFICE OF THE GENERAL COUNSEL

February 9, 1984

Honorable Don Albosta, Chairman
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

Re: Review of Ethics Program in Federal Agencies

Dear Congressman Albosta:

This is in reply to your letter of February 1, 1984. The Federal Mine Safety and Health Review Commission is an independent agency established to adjudicate disputes among the Secretary of Labor, mine operators, and miners arising under the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 801 et seq. In essence, the Commission serves as an administrative court replacing the U.S. District Courts in litigation arising under the Mine Act. The Commission is a small agency with a total workforce of about 60 employees. Due to the nature of the agency, a large percentage of Commission employees are professionals, including 5 Presidentially appointed, Senate confirmed commissioners, 12 administrative law judges, and numerous attorneys serving in a variety of legal-advisory capacities.

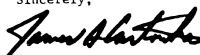
The Commission's regulations governing employee responsibilities and conduct are published at 29 C.F.R. Part 2703 (copy attached). These regulations specifically implement the requirements of 5 C.F.R. Part 735 and Executive Order No. 11222. All employees are provided copies of the regulations which set forth the requirements and procedures pertaining to reporting conflicts or apparent conflicts of interest, obtaining counseling services, accepting gifts, reporting financial interests, and imposing discipline.

Due to its small size and professional nature, most of the Commission's monitoring and compliance activity in this area arises in conjunction with the filing of the public financial disclosure reports required by the Ethics in Government Act. Through annual review of such filings, potential conflicts are identified and investigated, and where necessary, remedial steps are taken including recusals, waivers, and divestiture. In addition to the in-house counseling and advisory roles played by the Commission's Designated Agency Ethics Official, Alternate Designated Agency Ethics Official, and Executive Director, the Commission has sought oral advice and written advisory opinions from the Office of Government Ethics.

I am unaware of any instances in which personnel actions or warnings have been necessary for violations of the Standards of Conduct.

I hope this is responsive to your inquiry. Please advise if further information is desired.

Sincerely,



James A. Lastowka
General Counsel
(202) 653-5610



BOARD OF GOVERNORS
OF THE
FEDERAL RESERVE SYSTEM
WASHINGTON, D. C. 20561

April 18, 1984

The Honorable Donald J. Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Resources
House of Representatives
Washington, D.C. 20515

Dear Chairman Albosta:

Thank you for your letter of February 1 to MaryEllen A. Brown requesting summaries of certain elements of the Board of Governors' ethics program.

First, you requested an explanation of the process and content of the Board's educational program for employees and officials in regard to "Standards of Conduct". Our educational effort consists of two basic ongoing activities. First, an explanatory memorandum is distributed annually to all employees who are required to file financial disclosure reports, either pursuant to the Ethics in Government Act or pursuant to Board rules. These latter reports, filed by approximately 160 officials and designated key Board employees in 1983, are confidential. An additional approximately 80 persons--Board members and officials--filed "publicly available" reports pursuant to the statute during 1983. These explanatory memoranda summarize the legal bases and requirements for the reports, explain any changes in the format of the reports or in the instructions accompanying the forms, and clarify problems or ambiguities disclosed during review of the prior year's reports.

The second basic element of our continuing activities is a personal discussion with each resigning or retiring Board official and certain other employees, conducted prior to the individual's departure from the Board, to review the post-employment restrictions to which Federal employees are subject, and to leave a printed summary of these restrictions with the individual. Departing officials who are subject to the statutory financial reporting requirement are also advised that they must submit a final financial disclosure report. These reports are filed generally on the individual's last day of Board employment.

In the case of Board members, prior to their taking the oath of office, each Board member is provided with a memorandum that lists and explains all legal conflicts of interest and ethics' requirements that apply during the individual's tenure as a Board member and after leaving Board service. This

material is presented to incoming Board members as part of a briefing book. Incoming Board members are also given, as part of these briefing materials, a copy of the Voluntary Guide to Conduct for Senior Officials of the Federal Reserve System--i.e., for Board members and Reserve Bank Presidents and First Vice Presidents.

Various other written materials are distributed to employees at the time that they begin working for the Board (e.g., a handbook containing a summary of the Board's rules regarding employee responsibilities and conduct is given to all new employees). Certain incoming employees are also required to complete and file a pre-employment financial disclosure statement. Various other materials and advice are also provided to Board members and employees during their Board service (e.g., periodic summaries of the Board's rules; summaries of the Hatch Act); copies of the new ABA Model Rules for attorneys; periodic reminders regarding participation in conferences sponsored by outside groups; travel regulations and reimbursement for travel expenses; etc.). At times, we utilize the Board's weekly newsletter to employees "Across the Board" to disseminate this type of information. At other times, memoranda directed to specific topics are distributed to all employees.

From time to time, we have also scheduled discussion groups to deal with various ethics' topics. One ongoing program is an oral presentation, given by the Board's Ethics Official, to a group of 20 Board managers who attend a course that is structured around the Board's Management Guide. This oral presentation is followed by a group discussion of about an hour, and this course is repeated from two to four times a year, depending upon the demand and need for it.

Probably our greatest single educational effort takes place during individual consultations with employees, in person or by telephone, through the year. These consultations typically involve questions about investments, membership in various organizations, reimbursement of travel expenses (domestic and foreign), negotiations for future employment, post Board employment restrictions, acceptance of gifts and entertainment (domestic and foreign), outside business or teaching activities, ex parte communications, participation in certain technical assistance programs in other countries (usually in lesser developed countries), as authorized by statute, and spousal and dependent children employment and investments. Infrequently, specific questions may arise in other areas, and these are dealt with on an ad hoc basis.

The Board's Ethics Official has the principal responsibility to execute these efforts. In the case of Board members, and on occasion other employees, the General Counsel, the Assistant to the Board for Public Affairs, the Secretary of the Board, and the Board's Controller offer advice and assistance in these areas, particularly with regard to advising Board members. For example, Board members, sometimes at their request, are also given specific guidance with regard to actions during their last months in office and following Board service.

You also asked us to describe the process used to enforce our standards of conduct. On occasion, infractions have occurred in two areas: the acquisition of prohibited investments, and the unwitting acceptance of reimbursement for travel expenses or of gifts having a greater than nominal value. When such infractions become known, employees are advised about the appropriate actions to be taken. Board rules provide that an employee who acquires bank stock, a prohibited investment, may request a waiver that will permit retention of the stock. If the employee can establish that the facts and circumstances of his or her particular situation warrant retention of the stock, then the waiver will likely be granted, on condition that the employee agrees to rescue himself or herself from taking any action or making any recommendation with regard to the bank in which the stock is held. Beneficiaries of trusts established by parents or grandparents, especially where the Board employee is only one of several such beneficiaries, and spousal holdings acquired by inheritance and independent of marriage to a Board employee, which also usually have significant sentimental value, are typical examples of situations where waivers may be considered appropriate.

In the case where reimbursement for travel expenses is tendered, most employees know that they must refuse such tenders. On rare occasions, employees do not realize that they must not accept such reimbursement, and unwittingly have accepted the funds. On those occasions, the Office of the Board's Controller has remitted a check for the exact amount of the travel expenses to the person or entity that paid the expenses originally, along with a letter that acknowledges the good intentions on the part of all persons involved, but that explains clearly why the funds cannot be accepted and are therefore being returned.

Gifts present a somewhat different situation. At times, Board members and employees are presented with unsolicited gifts, some of which exceed the "nominal value" standard provided by Board rules. Sometimes, when a gift is presented in person, it is possible to refuse the gift immediately, with a polite but clear expression that the employee is not permitted to accept the gift. At other times, in the case of both domestic and foreign gifts, where refusal would offend or

embarrass the donor or otherwise adversely affect the interests of the United States, the gift may be accepted on behalf of the Board. These gifts are then appraised, reported to the Office of the Secretary, and placed on public display if appropriate.

Otherwise, all tangible gifts of greater than nominal value (not to exceed \$25-\$35 in the case of domestic gifts, or \$130 in the case of foreign gifts pursuant to GSA regulation regarding acceptance of foreign gifts) must be returned to the sender, with a polite but clear note of refusal.

To date, there have been no infractions of Board standards of conduct that have not been resolved by one or more of the steps described above. However, should an infraction occur that was not amenable to informal resolution, Board rules provide that the matter must be reported to the Board, and that the Board may then take necessary corrective actions, including disciplinary actions (12 C.F.R. § 264.735-50).

You also requested copies of current Board regulations "promulgated by or for your agency under the general Standards of Conduct of 5 C.F.R. 735 . . . (and) any general guidelines you have issued . . .". A revised draft of Board regulations has been prepared and is undergoing senior staff review prior to being submitted to the Board for approval. This revised draft updates Board rules in several respects, including conforming the rules to the requirements of the Ethics in Government Act and the Office of Government Ethics regulations to which your letter refers. A copy of Board rules presently in effect is enclosed (12 C.F.R. Part 264), along with our rules regarding: Foreign Gifts and Decorations (12 C.F.R. Part 264b); Limitations on Activities of Former Members and Employees of the Board (12 C.F.R. Part 266); and Reserve Bank Directors--Actions and Responsibilities (12 C.F.R. Part 264a). A copy of four management policy statements summarizing the code of conduct for employees, and setting forth Board policies with regard to participation in outside programs, outside compensation and honoraria, and payment of expenses are also included.

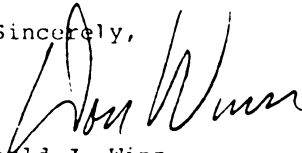
In addition, the Board has adopted a Federal Reserve System Ethics Manual, a copy of which is enclosed. Note, please, that one section of this Manual contains the Voluntary Guide to Conduct for Senior Officials of the Federal Reserve System (Board members and Presidents and First Vice Presidents of Reserve Banks) mentioned earlier in this letter. The Voluntary Guide imposes more stringent requirements upon Board members than Board rules impose upon other Board employees. Also enclosed is A Summary of Legal Requirements Pertaining to Conflicts of Interest Applicable to Members of the Board of Governors.

Finally, you ask what system of advisory opinions or rulings we utilize in addition to those from the Office of Government Ethics. We also use a loose-leaf service entitled the "Ethics in Government Reporter," published monthly by the Washington Service Bureau. This publication reports full texts of current statutes, regulations, federal courts' decisions and other materials. In addition, we subscribe to and review on a regular basis, the ethics opinions published in the American Bar Association Journal, and on a less frequent basis, we review opinions published by other legal periodicals. We also subscribe to the "Federal Ethics Handbook."

We have been greatly assisted in the administration of the Board's ethics program by the staff of the Office of Government Ethics. By coincidence, the OGE is presently conducting its audit of the Board's ethics program; and we look forward to any recommendations that may be forthcoming as a result of this audit.

I hope that this information will assist the Subcommittee in its review of federal ethics programs. If you should have any questions, or if you need further information, please feel free to call either me (452-3456), or MaryEllen A. Brown (452-3608).

Sincerely,

A handwritten signature in black ink, appearing to read "Don Winn", written over the typed name.

Donald J. Winn
Assistant to the Board

Enclosures

FEDERAL TRADE COMMISSION
WASHINGTON, D. C. 20580

OFFICE OF THE GENERAL COUNSEL

February 29, 1984

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Albosta:

This is in response to your letter of February 1, 1984, requesting a summary of certain elements of the Federal Trade Commission's ethics program.

Standards of Conduct for Federal Trade Commission members and employees were promulgated as Part 5 of the Commission's Rules of Practice. 16 C.F.R. § 5.1 et seq. (1983) (Attachment A). As you know, these rules were originally issued in response to Executive Order 11222. They have, since 1965, been amended from time to time after review and concurrence by the Office of Government Ethics and its predecessors. These rules form the core of the Commission's ethics program and are provided to each employee.

The educational component of the Commission's ethics program begins for most employees at the time of their appointment. During the orientation process, each employee is provided with a copy of the Standards of Conduct and is briefed on their requirements. For senior employees who are required to fill out a financial disclosure form under the Ethics in Government Act this briefing typically takes place during the recruitment process prior to appointment. Notices to the Staff concerning ethical matters are issued as needed throughout the year to alert employees to significant changes or developments, to highlight provisions or requirements of continuing interest and concern, or simply as a reminder of the Rules' requirements. The Designated Agency Ethics Officer also conducts special briefings for other individuals in critical staff positions or for any staff group or organization on request.

The Honorable Don Albosta

The substantive content of the Commission's ethics education effort is designed to insure that employees are aware of and comply with all of the requirements imposed by the Standards of Conduct. Principal among these is, of course, the avoidance of participation in any proceeding in which the employee might have, or appear to have, a financial interest. Because the Commission's jurisdiction is not limited to any single industry or group of industries, the need for employees and supervisors to consider financial interests arises when staff assignments to a particular law enforcement or analytical project are made. Employees are encouraged to contact the Designated Agency Ethics Official for the resolution of any issues in doubt. See Attachment A, § 5.5. Members of the Senior Executive Service and others in comparable senior staff positions have discussions at least annually with the designated agency Ethics Official concerning the application of the Standards of Conduct to their activities and to the activities of those employees they supervise.

While the substance of the FTC ethics program is primarily concerned with the application of the government-wide standards embodied in regulations of the Office of Government Ethics, 5 C.F.R. § 735, the largest category of FTC employees--attorneys--are also subject to the ethical standards and disciplinary procedures of the courts before which they practice and the bars to which they are admitted to practice. The ABA Canons of Ethics and the new Model Rules of Professional Conduct are primary sources for evaluating the conduct of practicing attorneys.

The procedures for enforcing the Standards of Conduct set forth in §§ 5.6 and 5.7 of the Commission's Rules of Practice. 16 C.F.R. §§ 5.6, 5.7 (1983). While these procedures are largely self-explanatory, it is worth noting that they are invoked infrequently, because the Commission's educational and advisory service operates effectively. Nevertheless, a review of agency personnel records shows that in recent years two employees were disciplined for violating Standards of Conduct. Each of these instances concerned failure to obtain approval prior to engaging in outside employment. In one other case, an employee resigned after being confronted with evidence of similar violations.

Restrictions on participation in Federal Trade Commission proceedings by former employees are contained in § 4.1 of the Commission's Rules of Practice. 16 C.F.R. § 4.1 (1983). (Attachment B). Violation of this rule could lead to disciplinary

The Honorable Don Albosta

action by the Commission itself, including suspension or disbarment from practice before the Commission. See 16 C.F.R. § 4.1(e)(1983). The post-employment conduct restrictions imposed by the Ethics in Government Act are also reportable to the Department of Justice for possible prosecution under 18 U.S.C. § 207.

Finally, you ask for a description of "any systems of advisory opinions or rulings" used in addition to OGE opinions. The evaluation of questions of employee conduct occasionally calls for resort to the Opinions of the Attorney General, the published and informal opinions of the Office of Legal Counsel of the Department of Justice, the decisions of the Comptroller General, and opinions of the Legal Ethics Committee of the District of Columbia Bar, and similar sources. The principal source of guidance on standards of employee conduct is the published opinions of the Office of Government Ethics.

If you have any questions about this response or wish additional information concerning the ethics program or the Federal Trade Commission, I will be pleased to respond.

Sincerely,

A handwritten signature in cursive script, reading "Christian S. White".

Christian S. White
Assistant General Counsel

Attachments

U.S. Department of Justice
Foreign Claims Settlement Commission
of the United States

February 3, 1984

Honorable Don Allostia
 Chairman, Committee on Post Office
 and Civil Service
 Subcommittee on Human Resources
 U.S. House of Representatives
 511 House Office Building Annex 1
 Washington, DC 20515


Dear Mr. Chairman:

I am responding to your letter of February 1, 1984 concerning your review of ethics programs in Federal agencies. To put our ethics program in proper perspective, two points should be noted: (1) pursuant to the Reorganization Act of 1980, the Foreign Claims Settlement Commission was transferred as a separate agency within the Department of Justice, which department provides additional guidance for us, (2) the Commission is a very small agency, our entire staff at the present time numbers but 12 individuals which affords me, as agency ethics officer, immediate and daily contact with the activities of all the staff.

The Commission is headed by a full time Chairman and two part time Commissioners, all of whom are Presidential appointees. As each Commissioner has come on board, I have set up a session and reviewed for them standards of conduct, pointing out any particular areas of possible conflict of interest or abuse of office which could conceivably arise. Each Commissioner gives me personally a list of any and all stock holdings and past and present business connections, so that in the event any such company should become a claimant before the Commission, I can be immediately aware of it and keep the Commissioner totally separated from any involvement in the claim. In fact, no such situation has, as of yet, arisen.

The Department of Justice has provided us with a detailed list of any type of conduct which is considered inappropriate and I have provided copies of this to each staff member. I have supplemented this in staff meetings with attorneys on my staff, with particular regard to any conduct or situations which might arise where they would inadvertently engage in contact which could be perceived as inappropriate. I attach herewith the latest memorandum from the Department of Justice which was circulated to each member of my staff.

Very truly yours,


 David H. Rogers
 General Counsel



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

FEB 13 1984

OFFICE OF GENERAL COUNSEL

B-103987

February 13, 1984

The Honorable Donald Joseph Albosta
 Chairman, Subcommittee on Human
 Resources
 Committee on Post Office
 and Civil Service
 House of Representatives

Dear Mr. Chairman:

We are pleased to respond to your letter of February 1, 1984, requesting information concerning the ethics program within the General Accounting Office.

Before addressing your specific questions, we would like to point out that the General Accounting Office has a unique status for the purpose of applying the laws and regulations relating to ethics and standards of conduct. This Office is specifically excluded from the definition of "agency" in 5 C.F.R. Part 735. We are not subject to those regulations or to the Office of Government Ethics' regulations contained in 5 C.F.R. Part 738.

The Comptroller General nevertheless has promulgated standards of conduct and has implemented an ethics program that closely parallels those within the executive branch. As you have requested we are enclosing copies of the regulations implementing that program. GAO Order 2735.1, entitled "Code of Ethics Including Employee Responsibilities and Conduct" is very similar to the regulations required of executive branch agencies under 5 C.F.R. 735.301. GAO Order 2735.2, entitled "Conflict of Interest and Statements of Employment and Financial Interests" provides for a system of confidential disclosure akin to that imposed by 5 C.F.R. § 735.401 et seq.

While GAO is not subject to the requirement of 5 C.F.R. § 738.203 to maintain an ethics education and training program, we do attempt to apprise new employees of the basic principles that will help them to avoid conflicts of interest. In the past, this has been done as part of a series of discussions that new employees are required to attend. A new format is being developed for use as a part of that orientation program.

We have not found it necessary to expand the scope of our educational efforts on the particular subject matter of ethics. Our professional staff consists largely of auditors and evaluators. They are given extensive training in audit techniques to enable them to evaluate the programs of other Federal agencies. As a result of that training they develop a sensitivity to conflict of interest issues. That sensitivity carries over to their own work and, in fact, it is usually the employee who raises the issue of a potential conflict of interest as to his or her own assignment. Most of the managers responsible for conflict of interest determinations have extensive experience in identifying and dealing with conflict of interests. Consultation offered by the Ethics Official and the Deputy Ethics Official supplements that experience.

Under the GAO's ethics program, primary responsibility for making conflict of interest determinations lies with the Division or Office head or Regional Director. Under Chapter 4 of GAO Order 2735.2 those officials are required to review the financial disclosure statements filed by their subordinates. That review occurs at least annually and additional reviews are triggered by major changes in a subordinates responsibilities or upon detail or reassignment for more than 30 days. If the reviewing official determines that a conflict of interest exists, remedial action is taken. That action may consist of a change in assignment or a request that the employee divest himself of the financial interest that gives rise to the conflict. Where the conflict cannot otherwise be resolved, the employee may be given the option of resigning or facing disciplinary action.

Where the reviewing official is in doubt as to whether a conflict exists, the case is reported to the Committee on Ethics and Conflicts of Interest. The composition and purpose of that Committee is described in Chapter 2 of GAO Order 2735.2. With the assent of 4 of its 5 members, the Committee determines whether a conflict of interest exists. If no conflict is found the employee and the reviewing official are so notified in writing. If the Committee determines there is a conflict of interest and if divestiture cannot be accomplished, the Committee prepares a memorandum of disqualification and directs a change in the employee's duties. If that is not possible the employee will be given the option of resigning or facing disciplinary action. Where there is assent by fewer than 4

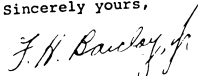
Committee members, the matter is referred to the Comptroller General or the Deputy Comptroller General for final determination. An employee may request the Comptroller General to review a conflict of interest decision by a reviewing official or the Committee.

Under these procedures we have been able to resolve all conflict of interest problems by reassignment or divestiture. We have not found it necessary to take an adverse action against any employee as the result of a failure to resolve an ethics problem.

As you have suggested, we routinely rely upon rulings by the Office of Government Ethics in making conflict of interest determinations. Moreover, we find the informal consultation provided by that Office invaluable. In addition, we rely upon opinions of the Attorney General and advisory opinions issued by the Justice Department's Office of Legal Counsel.

We trust this information will serve the purpose of your inquiry.

Sincerely yours,



F. H. Barclay, Jr.
Acting Chairman,
Committee on Ethics and
Conflicts of Interest

Enclosure



General Services Administration Office of the Administrator Washington, DC 20405

February 8, 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Mr. Albosta:

It is a pleasure to provide the information concerning this agency's ethics program and materials relating to it that you requested in your letter of February 1, 1984.

The ethics program is headed by the Administrator himself. Conduct of day-to-day operations and administration is delegated to the Special Counsel to the Administrator for Ethics, who serves also as Director of the Office of Ethics. The Special Counsel for Ethics, a senior executive independent of any other division in the agency, is located in the immediate office of the Administrator and reports directly to the Administrator. This special prominence accorded to the Office of Ethics underlines the ethics program throughout the agency.

All agency personnel are required to be given a complete, up-to-date copy of the agency's standards of conduct regulations when hired and to sign a receipt for it, acknowledging that they have received a briefing of its contents and that it is their duty to comply with the standards. Whenever the regulations are amended, a new and complete copy of the regulations is provided to each employee and a written acknowledgment of its receipt is obtained and filed.

The training program is multi-faceted. All agency employees are required to be orally briefed semi-annually regarding the standards of conduct. Their written acknowledgments of receipt of the semi-annual briefings are placed in their official files.

Instruction in the responsibilities articulated in the standards of conduct regulations is an integral part of the regular formal courses given in management training.

The oral briefings and the training are provided to the maximum extent feasible by Deputy Standards of Conduct Counsellors, and are audited by the them any case. All are professional lawyers. Used in the briefings whenever practicable are audio and video tape presentations.

This is not a "paper program." The Special Counsel to the Administrator for Ethics has visited every city in which this agency employs more than 70 persons and has conducted standards of conduct briefings there personally. Deputy Standards of Conduct Counsellors likewise give such briefings whenever possible. In addition, all Heads of Services and Staff Offices, and every Regional Administrator have been visited by the Special Counsel to the Administrator of Ethics and briefed again and again concerning their special responsibility to ensure that the education program is vigorously carried out. As part of the education program, they are likewise required to bring the contents of the regulations to the attention of the principal officer of each contractor doing significant business with this agency.

To ensure that the program's requirements are met, the Special Counsel to the Administrator for Ethics and his deputy make regular field visits to Regional headquarters to audit compliance.

Each Regional Counsel is assigned responsibility for ensuring that posters of the Code of Ethics for Government Service and posters notifying employees of the identity and telephone number of their Deputy Standards of Conduct Counsellor are prominently and widely displayed.

Special professional training is provided to Deputy Standards of Conduct Counsellors at annual conferences, during special visits, teleconferences, and through correspondence.

A vehicle often used to supplement the education of supervisory personnel is the consultation with such individuals incident to the review by a Deputy Standards of Conduct Counsellor of their financial disclosure reports.

Senior executive employees departing from employment in the agency are required to be provided with memoranda explaining the statutory post Federal employment restrictions where applicable. Oral briefings are provided by the Office of Ethics or, in the field, by a Deputy Standards of Conduct Counsellor.

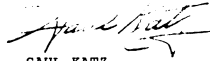
Advisory opinions and rulings are provided orally and in written response to inquiries. In addition, such counsels are initiated by the Director of the Office of Ethics and by the Deputy Standards of Conduct Counsellors whenever the need to do so is recognized.

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Pursuant to your request I have enclosed copies of the regulations and guidelines on standards of conduct promulgated by this agency. Also enclosed are copies of two posters to which I have referred and our training guide which provides a step-by-step analysis of major ethical issues and situations confronted by our employees.

The Associate Administrator for Administration will respond directly to your inquiry regarding the enforcement of the Standards of Conduct regulations, including listings of adverse personnel actions and warnings issued based on violations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Saul Katz", with a stylized flourish at the end.

SAUL KATZ
Director
Office of Ethics

Enclosures



General
Services
Administration

Washington, DC 20405

APR 2 1984

Honorable Don Albosta
Chairman, Subcommittee on
Human Resources
Committee on Post Office
and Civil Service
House of Representatives
Washington, DC 20515

Dear Mr. Albosta:

The Director, Office of Ethics, Mr. Saul Katz, has asked me to provide you with information concerning the enforcement of the Standards of Conduct regulations.

Because the Standards of Conduct are so comprehensive, all disciplinary actions have a basis in them. A recent study showed that the most frequent causes for disciplinary actions are absence without leave (AWOL) or tardiness, neglect of duty, insubordination and disorderly conduct. There are approximately 1,000 formal disciplinary actions a year. Approximately 16% of these actions result in removal, 27% result in suspension, and 57% result in written warnings or reprimands. There are, of course, a number of cases each year that are serious violations of the criminal code and are referred to the U.S. Department of Justice for prosecution. A referral for criminal prosecution usually results in a deferral of administrative disciplinary action.

I have enclosed Chapter 3, Part 8, "Maintaining Discipline" of the GSA Administrative Manual (GSA Order OAD P 5410.1) which also includes the Penalty Guide.

I hope that this information proves helpful in your review of ethics programs in Federal agencies.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Q. Schoeni".

PATRICIA Q. SCHOENI
Associate Administrator
for Administration

Enclosures

2345



Harry S. Truman Scholarship Foundation
712 Jackson Place, NW, Washington, DC 20006
Telephone Area Code 202-395-4831

February 13, 1984

7

OFFICERS AND TRUSTEES

Hon John W Snyder
Chairman

Hon Elmer B Staats
President

Mrs Margaret Truman Daniel
Secretary

Hon Terrel H Bell
Senator John C Danforth
Senator Thomas F Eagleton
Judge Richard J Fitzgerald
Ms Gloria A Hay
Judge Truman McGill Hobbs
Ms Anita M Miller
Congressman Ike Skelton
Congressman Gene Taylor

Hon Stuart Symington
Emeritus

Hon C Westbrook Murphy
General Counsel

Malcolm C McCormack
Executive Secretary

Honorable Don Albosta
Chairman

Subcommittee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
511 House Office Building Annex One
Washington, D.C. 20515

FEB 14 1984

Dear Mister Chairman:

Thank you for your letter, dated February 1st,
received February 6th, while in New York/Boston on
Foundation business.

The Truman Foundation, a small agency with a staff of
only four, operates under general federal guidelines, but
has had no occasion to issue specific policy directives on
Standards of Conduct. Nor have there been any personnel
actions taken or warnings issued by the undersigned to the
staff based on violations of Standards of Conduct.

With regards and respect.

Cordially,

Malcolm C. McCormack
Executive Secretary

2346



U.S. Department of Justice

Immigration and Naturalization Service

Office of the Commissioner

Washington, D.C. 20536

16 FEB 1984

FEB 16 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Albosta:

In response to your request for information on certain elements of the Service's program concerning employee ethics and standards of conduct, the following information is provided.

The education of Service employees in the standards of conduct is primarily accomplished through the publication and/or distribution of various instructions on this subject. The Department of Justice regulations governing employee standards of conduct, which include as an appendix the Code of Ethics for Government Service, are annually provided to all employees, as well as to each new employee at the time of employment. The Service's own regulations are maintained at all Service district offices and border patrol sectors, and serve to supplement the Departmental regulations. The Officer's Handbook, which is provided to all employees who deal with aliens or the general public, also contains a significant amount of information on proper employee conduct. The basic officer's training course provides trainees an orientation on the content of the Handbook, while the basic supervisory training course includes actual case studies as a part of the instruction given to new supervisors on employee conduct.

The enforcement of standards of conduct by the Service follows the procedures and guidelines established by the Office of Personnel Management and the Department of Justice. Incidents of alleged violations of these standards are thoroughly investigated and promptly adjudicated, with progressive measures of discipline imposed as warranted by the facts in each case. The standard schedule of disciplinary offenses and penalties contained in the Department's disciplinary regulations serves as a guide for Service officials delegated the authority to discipline employees guilty of misconduct. Actions permissible under this schedule range from written reprimands to removal. Information on actions taken and warnings issued in specific cases is unavailable. In general terms, the number of administrative actions taken annually by the Service based on misconduct is estimated to be 500.

Copies of the current Department of Justice and Service regulations on this subject, as well as the Officer's Handbook, are enclosed. No system of advisory opinions or rulings, other than the information provided by the Office of Government Ethics and the Department of Justice, is utilized by the Service at this time.

We hope this information proves helpful to your subcommittee.

Sincerely,

Alan C. Nelson
Commissioner

Enclosures

2347

Department of the Treasury

OFFICE OF CHIEF COUNSEL

Internal Revenue Service
Washington, DC 20224

10 FEB 1984

The Honorable Don Albosta
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515


Dear Mr. Chairman:

We received your letter of February 1, 1984, concerning your Subcommittee's review of ethics programs in Federal agencies. As is indicated on the attached memorandum from the Chief, Administration and General Law Section, Office of the General Counsel, Department of Treasury, we have been requested to provide the same information you requested to the General Counsel's Office so that a coordinated response encompassing all of the bureaus of the Department of the Treasury can be provided to your office.

We have responded to the General Counsel's request and have been informed that it will be provided to your office within a few days.

If we can provide any additional assistance, please .. advise.

Sincerely,


Thurmond E. Shaw
Director
General Legal Services Division

2348

**Internal Revenue Service
memorandum**

CC:GLS-596-84
Brl:ELPatton

date: 10 FEB 1984

to: Chief, Administration and General Law Section
Office of the General Counsel

from: Chief, Branch No. 1
General Legal Services Division

subject: Congressional Request Concerning the
Department's Ethics Program

This is in response to your February 6, 1984 memorandum concerning the above-referenced request from Congressman Albosta. The Service's Rules of Conduct are contained in Internal Revenue Manual (IRM) 0.735.1, a copy of which is attached. (Attachment 1). */

Educational Program Pertaining to the Service's Handbook of
Employees Responsibilities and Conduct (Rules of Conduct).

Each Service employee receives a copy of the Rules of Conduct as part of the orientation process for all new employees. As part of this process, employees are informed of their responsibility to familiarize themselves with its provisions and to conduct themselves accordingly. Additionally, all Service employees receive any subsequent changes to the Rules of Conduct. The personnel officers of the employing office have the responsibility of providing the Rules of Conduct and subsequent changes to every employee who, in turn, must sign a transmittal sheet indicating receipt of the transmitted material.

Assistant Commissioners, Associate Chief Counsel, Regional Commissioners, Assistant Regional Commissioners, Regional Inspectors, Commission Center and District and Service Center Directors are responsible for seeing that proper information and guidance on the Rules of Conduct are disseminated to all employees. There is no prescribed system for achieving the above. However, recommended methods include memoranda and/or formal or informal discussions which stress the desirability and necessity of the Rules and enlist

*/ Congressman Albosta requested this same information directly from our office. We responded by indicating that the requested information will be provided by your office. A copy of the Congressman's request and our response is attached.

CC:GLS-596-84

the cooperation of employees in observing them. See IRM 0735.1, Section 215.

The Service is also contractually obligated to hold annually a formal discussion with all bargaining unit employees concerning the Rules of Conduct. See Article 27, Section 6 of the National Agreement Between the Internal Revenue Service and the National Treasury Employees Union, National Office, Regions and Districts; and Article 26, Section 6 of the National Agreement Between the Internal Revenue Service and the National Treasury Employees Union, Service Centers, Detroit Data Center, National Computer Center. (Attachments 2 and 3).

Process Used to Enforce the Rules of Conduct

All Service employees are responsible for reporting to Office of the Assistant Commissioner (Inspection) any knowledge, information, or allegation coming to their attention which indicates that any other employee may have violated the Rules of Conduct. See IRM 0735.1, Section 217.21. The Office of the Assistant Commissioner (Inspection) has the responsibility of determining whether any such report or similar allegation from any other source warrants the initiation of an investigation of the complaint or allegation. This office also has the responsibility of conducting investigations of all cases which so warrant. See IRM (10)311, Section 510 et seq. (Attachment 4). Depending on the results of these investigations, disciplinary action may be taken.

Adverse Actions Taken and Warnings Issued Based on Violations of Rules of Conduct

The Service does not maintain at any one office Service-wide data which indicate the basis for adverse actions taken or warnings issued. Attached is Form 2582, Disciplinary and Suitability Cases Closed, for fiscal years 1982 and 1983. This form indicates in aggregate numbers the type of cases closed during the fiscal year (Inspection, Conduct, Work Performance, Tax and Non-Cause) and the type of action taken, if any (Attachments 5, 6).

General Guidelines Issued Related to the Rules of Conduct

Memoranda providing guidance on specific Rules of Conduct are periodically issued on an as-needed basis. Additionally,


CC:GLS-596-84

the Rules themselves inform employees of their responsibilities in connection with the Rules and identify the appropriate Service employees from whom additional guidance may be obtained. IRM 0735.1, Sections 214, 215; see also IRM 0735.1, Exhibit 200-6, section 0.735-93.

System of Advisory Opinions Concerning the Rules of Conduct

Supervisory personnel are responsible for providing proper information and guidance to their employees in regard to acceptable conduct. Personnel officers are responsible for assisting supervisors in this area and seeking additional clarification, if necessary. IRM 0.735.1, Section 215. The Service's Deputy Counselor has the responsibility of giving authoritative advice and guidance pertaining to the Rules of Conduct. When questions arise or advice is sought by either supervisors or employees which involve either advice or interpretation which is legal in nature, personnel officers are responsible for seeing that the advice or interpretation is sought or obtained from the Deputy Counselor. IRM 0.735.1, Exhibit 300-6, Sections 0.735-93, -94. The Chief Counsel, Internal Revenue Service, has designated the Director, General Legal Services Division, as the Service's Deputy Counselor. */

If you have any questions, please contact Lee Patton at 566-6284.


Richard J. Mihelcic

*/ This official is also the Designated Agency Ethics Official under the Ethics in Government Act.

cc: Assistant to the Deputy Chief Counsel
cc: Kenneth Holland, Chief, Branch 3, GLS
cc: Mike Altieri, Labor Relations Branch

2351

INTERNATIONAL JOINT COMMISSION
UNITED STATES AND CANADA
WASHINGTON, D.C. 20440

2351

March 2, 1984

MAR 5 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in reply to your letter of February 1, 1984, regarding certain aspects of the Commission's ethics program.

The Commission is an international organization established by the terms of the Boundary Waters Treaty of 1909. It is composed of three Commissioners appointed by the President of the United States with the advice and consent of the Senate, and three Commissioners appointed by the Government of Canada. The Commission has a small staff which is located in three offices: 14 in Washington (all U.S. citizens), 19 in Ottawa, Canada (all Canadian citizens) and 30 in Windsor, Ontario (9 U.S. and 21 Canadian citizens).

Due to the small size of the U.S. staff, U.S. employees are linked to the U.S. Department of State for administrative, personnel, and budgetary purposes. Department of State procedures are followed unless other procedures are adopted by the Commission. Since we have not adopted our own regulations regarding standards of conduct, all U.S. employees of the Commission remain subject to the regulation of the Department of State. All employees are counselled by the Department when employment commences as part of their orientation. In addition, all employees receive Departmental circulars, memoranda, guidelines and other documents relating to the standards of conduct when issued. No difficulties have been experienced to date using this approach.

This office's principal effort in the ethics program is to counsel Presidential appointees and other officials who must file annual financial disclosure reports.

I hope this information is helpful to you.

Sincerely,


James G. Chandler
Legal Advisor



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, D.C. 20436

March 12, 1984

The Honorable Don Albosta
 Chairman, Subcommittee on Human Resources
 Committee on Post Office and Civil Service
 United States House of Representatives
 511 House Office Building Annex 1
 Washington, D.C. 20515

Dear Chairman Albosta:

This is in response to your letter of February 1, 1984, requesting information regarding the ethics program for employees at the U.S. International Trade Commission.

In the past, the educational program for Commission employees and officials has consisted of a detailed memorandum which is distributed to incoming employees in their introductory packet of material and to all Commission employees annually as a reminder of their ethical obligations. This memorandum covers basic ethics requirements, restrictions on postemployment activities, financial conflict of interest-disclosure requirements, and the counseling service provided to employees. A copy of the statutory provisions and the Commission's rules is attached to this memorandum.

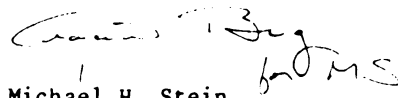
To better ensure that all employees are aware of the Standards of Conduct, we are in the process of instituting some new procedures. New employees now will be contacted personally shortly after their arrival and briefed on their ethical responsibilities. Terminating employees will be required to formally check out with the ethics counselor before leaving and at that time will be reminded of the restrictions on their post-employment activities. A copy of the memorandum which will be provided to departing employees is enclosed. All employees also will receive short memoranda at least annually to remind them of their responsibilities generally and with regard to specific and relevant issues. For example, a two page memorandum on the Hatch Act was just sent to all employees.

The Standards of Conduct are currently enforced through the counseling service. The Ethics Counselor and the Deputy Ethics Counselor review the confidential and public financial disclosure

reports, counsel employees with a view toward preventing violation of ethics rules, and attempt to resolve apparent conflicts as they arise. The Commission provides ethical counseling services for all Commission employees who have questions regarding conflict of interest or other ethical problems. This service regularly provides individual discussions with employees which are followed up with written advice whenever appropriate. Copies of all such advisory opinions or rulings are maintained in a confidential file. There is also a follow-up program to ensure that the employee is complying with the law.

Should you need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael H. Stein", with a stylized flourish at the end.

Michael H. Stein
General Counsel

Enclosures

3

2354

Interstate Commerce Commission

Washington, D.C. 20423

February 8, 1984

Honorable Don Albosta
Chairman, Subcommittee on Human
Resources
Committee on Post Office and Civil
Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Congressman Albosta:

This is in response to your letter dated February 1, 1984, requesting information on certain elements of our ethics program, including our educational and enforcement activities.

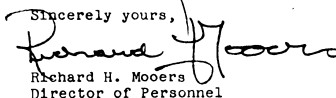
In regard to the educational aspects of the program, all employees are provided with a copy of the ICC Canons of Conduct as part of their initial orientation when reporting for duty. Thereafter, counseling on specific provisions of the Canons is available on request.

In enforcing the Canons, information is obtained from employees on their financial interests and any existing or proposed outside employment activities. This information is carefully screened for possible conflicts of interest. Whenever a conflict is found to exist or appears to exist, prompt follow-up action is taken to assure an appropriate remedy. While we have had no major enforcement problems in recent years, there was one instance where it was necessary to issue a five day suspension to an employee for failure to comply with the Canons.

Enclosed, as you requested, is a copy of our most current publication of the ICC Canons of Conduct. Included in the content of the Canons are clarifying guidelines as well as provisions for obtaining advice and opinions within the Agency.

I hope the information provided meets your needs. If I can be of any further assistance, please let me know.

Sincerely yours,



Richard H. Mooers
Director of Personnel

Enclosure

Japan-United States Friendship Commission

1875 Connecticut Avenue, NW, Suite 910
Washington, DC 20009
Area Code 202-673-5295

Chairman:
Dr. Glenn Campbell
Director, Hoover Institution
Stanford University

Executive Director:
Richard A. Ericson, Jr.

Associate Executive Director:
Ivan P. Hall

Vice Chairman: February 3, 1984
Robert S. Ingersoll
Chairman, Japan Society, Inc.
Former U.S. Ambassador to Japan

The Honorable
Don Albosta
Chairman
Sub-Committee on Human Resources
Committee on Post Office and Civil Service
U.S. House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

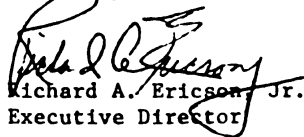
This is in response to your letter of February 1 concerning certain elements of the Commission's ethics program. The Commission is a very small agency with only three full-time permanent employees and eighteen Commissioners drawn from both the government and the private sector who meet twice annually to consider grant proposals. As such, we do not have a formal training or educational program dealing with the Standards of Conduct. However, I have designated one of my staff as our agency's ethics officer, and he ensures that relevant information concerning Standards of Conduct is disseminated to the staff and the Commissioners.

There have been no instances of adverse personnel actions or warnings issued because of violations of the Standards of Conduct since the inception of the Commission in 1975. We have issued no formal regulations under the general Standards of Conduct of 5 C.F.R. 735, and we rely entirely on the Office of Government Ethics for guidance on these matters.

I hope the foregoing is sufficient for your purposes.

I also enclose copies of the Commission's latest annual report and program announcement which will give you a clearer idea of the scope of the Commission's activities.

Sincerely,


Richard A. Ericson, Jr.
Executive Director

Enclosures.



U.S. MERIT SYSTEMS PROTECTION BOARD
Washington, D.C. 20419

The General Counsel

FEB 13 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

As designated Agency Ethics Officer for the Merit Systems Protection Board (Board) I am pleased to respond to your request for information on the Board's ethics program.

With approximately 175 employees at our regional offices and 215 employees at our headquarters offices, the Board is a small organization. As such, it is possible to personalize our ethics education to a great extent. Currently, all new employees are given a copy of the Board's ethics standards at their orientation session. The standards are outlined and discussed orally and each employee is informed of the availability of ethics counselling at any time.

This personal approach is also taken when an employee leaves the Board. As part of the exit interview process each supervisor is expected to discuss with departing employees the post-employment restrictions of 18 U.S.C. § 207 as set forth in 5 C.F.R. Part 737.

Our annual financial disclosure filing program for both public and confidential disclosure forms is conducted under my close supervision, with all questions handled personally by me or my deputy. This annual event keeps general ethics communication open between the Board's ethics officers and all senior management officials of the Board. These officials in their supervisory roles regularly refer employees to us for ethics information and questions. We normally handle several ethics or conflicts related questions each month. It is our practice to discuss each question with the individual raising it, to point out the actual text of the regulations involved and to document our advice in writing.

We are also working on the development of a regular feature for our employee newsletter which would in a brief, hypothetical fashion explain particular ethics obligations of employees. It is hoped that this feature will serve as a reminder of the overall ethics requirements while, at the same time, educating the employees on particular matters.

Enforcement of the Board's Standards of Conduct has fortunately not been an extremely large problem here at the Board. Essentially, we encourage employees to make early and frequent use of our advisory service which aids in preventing violations before they occur. There have been occasions in which employees were suspected of possible fraudulent activities which have been discovered through the internal audit efforts of the Board's Comptroller. These occurrences are reported immediately to me by the Comptroller who assists this office with any investigation which is necessary. When the wrongdoing may be a violation of criminal law, I immediately report the event(s) to the Attorney General. I have had to report three such problems to the Attorney General.

In addition to reporting the possible criminal behavior, I advise the appropriate management officials regarding administrative ethics violations. Adverse action proceedings are initiated unless the employee resigns prior to their initiation.

A copy of our current Standards of Conduct is enclosed with this letter. Pursuant to 5 C.F.R. § 735.104(f) these regulations were adopted by the Board by notice in the Federal Register, following the approval of the Director of the Office of Government Ethics (OGE) of the Office of Personnel Management. In carrying out our advisory responsibilities, we have had numerous contacts with the staff members at OGE. They have been uniformly helpful while being firm in upholding the letter and spirit of the Ethics in Government Act. Our ethics opinions are kept on file in this office. We use this file as a reference for subsequent questions. Because this resource is limited, we value highly the excellent resources of OGE and the generous support they give us.

Thank you for the opportunity to respond to your Subcommittee's review of ethics programs in Federal agencies.

Sincerely,



Evangeline W. Swift

Enclosure



National Aeronautics and
Space Administration

Washington, D C
20546

C:LR:lah:C12526f

FEB 22 1984

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office
and Civil Service
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The following information has been compiled in response to your letter of February 1, concerning Standards of Conduct.

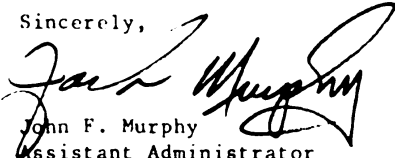
It is the policy of the National Aeronautics and Space Administration (NASA) to provide in its orientation for all new employees an overview of the NASA Standards of Conduct as well as a copy of the Standards of Conduct manual. Additionally, education regarding the Standards of Conduct is provided four times a year for middle management in a program that is conducted at NASA's Wallops Flight Facility, Wallops Island, Virginia. We are in the process of instituting an experimental educational program on Standards of Conduct at one of our centers for all employees. Lastly, it is the policy at NASA for employees to come to the General Counsel or the Chief Counsels at the centers before leaving NASA's employe in order to be briefed on post-employment restrictions. We are in the process of making a copy of the post-employment restrictions part of the existing package given to each NASA employee. Added to the above, reminders regarding Standards of Conduct are regularly printed in employee newsletters. For high-level new employees, there is generally a meeting with the General Counsel on problems that could arise concerning Standards of Conduct. The General Counsel is the designated agency ethics official for NASA and he and his staff are available, as are the Chief Counsels at the centers, to discuss particular problems individual employees may have.

Standards of Conduct are enforced through a number of different means. One way is through the review of both confidential and public disclosure statements whereby any potential conflict is usually surfaced and the employee is contacted and counseled. Another way is a system whereby employees are disqualified in dealing with a company in which they have financial interests. This disqualification is usually in writing and addressed to a subordinate so that no information regarding the particular company ever reaches the disqualified official. Another method of enforcement is through notification via the hotline to the Inspector General. In 1983 there were no adverse personnel actions taken as a result of misconduct; there was one warning issued to an employee who attempted to obtain a Government contract for work in addition to his Government employment.

Enclosed is a copy of current regulations which are in the process of being updated. The updating has been delayed awaiting a new Executive Order. We have now decided to go ahead with our update. Also included are copies of regulations that have been promulgated in the interim in order to respond to the requirements of the Ethics in Government Act of 1978. The designated agency ethics official (General Counsel) and the Chief Counsels at the centers are available to give advisory opinions on questions that are posed to them by present and former NASA employees. These opinions can be oral or, if requested by the employee, in writing.

I hope that this information regarding NASA's Standards of Conduct fully addresses your request.

Sincerely,



John F. Murphy
Assistant Administrator
for Legislative Affairs

Enclosure

General
Services
Administration

National Archives and
Records Service

Washington, DC 20408



FEB 17 1984

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letters of February 1, 1984, inquiring about the ethics programs of the Administrative Committee of the Federal Register and the National Archives Trust Fund Board.

The Administrative Committee of the Federal Register is composed of three members who are each covered by the Standards of Conduct of their own agencies. The Archivist of the United States is covered by the GSA Standards of Conduct, a copy of which is enclosed. The Attorney General and the Public Printer are covered by Department of Justice and Government Printing Office standards respectively.

Standards of conduct covering the employees of the National Archives Trust Fund Board were originally prepared and submitted for the Board's approval in September 1981. They were based largely on the GSA Standards of Conduct. The Treasury Department legal counsel, reviewing the standards on behalf of Secretary Regan who is a member of the Board, raised several objections to the standards as written. A revised version was prepared and submitted to the Board in March 1983. Treasury's subsequent review raised several new questions which we are now in the process of resolving. We will be happy to submit a copy of the Trust Fund Standards of Conduct to your subcommittee as soon as a final version is approved by the Board.

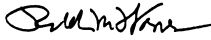
Both the GSA standards and the draft Trust Fund standards place responsibility with supervisors for ensuring that all personnel under their supervision are instructed in and understand the standards of conduct as well as statutes governing conflicts of interest and postemployment restrictions. Supervisors are also required to take or recommend disciplinary or remedial action in the case of

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those who violate the standards or related laws and regulations. No such violations are known to have occurred in either the Administrative Committee of the Federal Register or the National Archives Trust Fund Board.

Thank you for your interest in our programs. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,



ROBERT M. WARNER
Archivist of the United States

NATIONAL COMMISSION FOR EMPLOYMENT POLICY
1522 K Street, NW, Suite 300
Washington, D.C. 20005

EEB 8 1984

(202) 724-1545

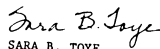
February 7, 1984

Honorable Don Albosta, Chairman
Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building, Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your February 1 letter regarding agency ethics programs. Because of the Commission's small size, the U.S. Department of Labor has agreed to act for us in matters pertaining to the Ethics in Government Act. Therefore, the information you receive from the Department will include programs and actions that cover the Commission.

Sincerely,



SARA B. TOYE
Policy Analyst

2362



13 March 1984

Honorable Don Albosta
Committee on Post Office and Civil Service
511 House Office Building Annex 1
Washington, DC 20515

Dear Mr. Albosta:

I have received your letter of February 1, 1984 requesting information about the ethics program in this agency. I regret the delay in my response to you.

NCLIS is a very small agency with only 10 staff members. We have not taken any adverse personnel actions based on violations of Standards of Conduct.

Because we work in conjunction with the Department of Education in certain personnel areas such as this, I feel obliged to review their program carefully before responding more fully to your request. I intend to do this as quickly as possible. I hope this further delay in responding to you will not cause undue inconvenience. If in the interim I can be of any service, please call me at 382-Q840.

Sincerely,


Sarah G. Bishop
Deputy Director

GENERAL SERVICES ADMINISTRATION BUILDING
77H & D STREETS, S.W. SUITE 3122 • WASHINGTON, D.C. 20024
(202) 387-0840

2363

NATIONAL
ENDOWMENT
FOR
THE ARTS

WASHINGTON
D.C. 20506

A Federal agency advised by the
National Council on the Arts

February 21, 1984

Mr. Don Albosta
Chairman
Committee on Post Office and Civil Service
Subcommittee on Human Resources
U. S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Mr. Albosta:

In response to your February 1, 1984 letter requesting information on the ethics program at the National Endowment for the Arts, I have enclosed the following materials: Title 45, Code of Federal Regulations, Part 1105, "Standards of Conduct of [Endowment] Employees," (Enclosure 1); and a memorandum to the National Council on the Arts and Endowment advisory panel members which provides general guidance on the implementation of the Endowment's standards of conduct policy (Enclosure 2).

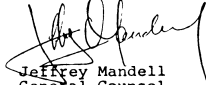
In your letter, you requested information on the process and content of the Endowment's standards of conduct educational program for employees and officials. With respect to Endowment staff, it is Endowment practice that a copy of the standards of conduct regulations be given to each new employee. For National Council on the Arts and advisory panel members, the memorandum addressed to such persons at Enclosure 2 to this letter serves as the basis of the Endowment's education program. Further information and guidance is provided to individuals requesting such or in situations where the need is apparent. In addition, the Endowment has reinstituted a program of briefings to employees and advisory panels on standards of conduct issues.

Regarding the Endowment's system of advisory opinions and rulings on standards of conduct questions, the General Counsel, as Conflicts-of-Interest Counselor and Designated Agency Ethics Official, responds to request for guidance on a case-by-case basis and issues general guidance as appropriate. There is no formal system of advisory opinions or rulings.

Finally, with respect to enforcement of standards of conduct at the Endowment, 45 C.F.R. 1105.735-5 (b) describes disciplinary and other remedial actions which may be taken for violations of the standards of conduct regulations. It has not been necessary to issue any adverse personnel actions or formal warnings for violations of the standards of conduct during the nearly two years I have served as General Counsel. There have, of course, been a number of instances in which I have informally counselled employees to avoid conflict situations.

If I can be of any further assistance to you, I would be happy to do so.

Sincerely,



Jeffrey Mandell
General Counsel

Enclosures

NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20506

2365



February 10, 1984

Office of the General Counsel

Honorable Don Albosta
 Chairman
 U.S. House of Representatives
 Subcommittee on Human Resources
 511 House Office Building Annex
 Washington, D.C. 20515

Dear Mr. Albosta:

This is in response to your February 1, 1984 letter concerning the review of ethics programs in Federal agencies by the Subcommittee on Human Resources.

The National Endowment for the Humanities has issued Standards of Conduct of Employees which may be found at 45 CFR 1105. A copy of these standards is enclosed as you requested. Each new Endowment employee is asked to review these standards when he or she begins work. In addition this office personally counsels and consults with each employee on post-employment problems related to standards of conduct as well as post-employment rules, when that person leaves the Endowment.

As a grant-making agency the Endowment primarily relies upon the advice of peer review panels in evaluating applications. In the last fiscal year 180 panels met. Before coming to the Endowment each of the over 1000 panelists received guidelines on conflicts of interest. Each panel meeting, which staff members attend, begins by a discussion of how conflicts of interests are handled. After panel review applications are considered by the National Council on the Humanities, a body of 26 individuals appointed by the President with the advice and consent of the Senate. The Council typically meets four times per year. Every two years they reaffirm a standing resolution on conflicts of interest, a copy of which is enclosed. This resolution is included in the front of the agenda for each Council meeting. Standards of conduct and conflicts of interest questions are often raised by Council members.

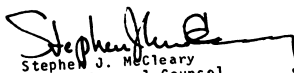
Pursuant to the Endowment's Standards of Conduct regulations certain specified staff members file Confidential Statements of Financial Interests. Forty-two such statements were filed last year. Senior staff members file Financial Disclosure Statements as required by the Ethics in Government Act.

Members of the staff do not hesitate to call the General Counsel's Office, in advance, when they have standards of conduct questions. We in turn consult with the staff of the Office of Government Ethics on unusual or particularly difficult questions.

A measure of the success of the Endowment in this area is that there have been no adverse personnel actions taken nor warnings issued on violations of the Standards of Conduct that I can recall in the past eight years. Given the great sensitivity on the part of the Endowment staff to the potential for conflicts, and general familiarity with our standards of conduct, the Endowment has not to date considered it necessary to create a more formalized education program than what is described above.

I hope this information will be useful to you. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,


Stephen J. McCleary
Deputy General Counsel

Enclosure

NATIONAL LABOR RELATIONS BOARD

Washington, D.C. 20570

FEB 13 1984

The Honorable Don Albosta
Chairman, Committee on Post
Office and Civil Service
Subcommittee on Human Resources
511 House Office Building, Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

In response to your letter of February 1, 1984, the following is a summary of your request for the elements of the Standards of Conduct for the National Labor Relations Board.

Discussion and orientation materials regarding the Standards of Conduct are provided to employees at the time of employment. Post employment restrictions reminders are also sent to key officials at the time of their separation.

A yearly Administrative Bulletin (enclosed) is issued to all employees regarding Standards of Conduct and outside employment along with copies of letters regarding this subject received from the Office of Personnel Management. In addition, on a yearly basis, certain employees submit either public or confidential reports of financial holdings and any outside sources of income including those of spouse and/or dependent children.

A list or record of situations that could result in noncompliance items with ethics laws and regulations is maintained. We ensure that these potential noncompliance items do not recur through periodic reports and monitoring processes and through occasional inquiries and counselling throughout the year. Actions taken to resolve apparent or potential conflicts disclosed on financial reporting forms mostly involve recusals, although two cases of potential conflict in outside employment were resolved by ceasing the outside activities. The primary Agency ethics counselor maintains a log file on opinions rendered and also renders formal written opinions, when requested.

At present we are in the process of updating our agency's regulations in these areas. Please let me know if I can be of any further assistance.

Sincerely,



Ernest Russell
Director of Administration

Enclosures

2368

FEB 8 1984



NATIONAL MEDIATION BOARD
WASHINGTON, D.C. 20572

February 6, 1984

75TH ANNIVERSARY

Honorable Donald J. Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
United States House of Representatives
Washington, DC 20515

Dear Chairman Albosta:

We understand from your letter dated February 1, 1984, that you are surveying the Federal agencies with respect to their Standards of Conduct programs.

By way of background, the National Mediation Board has 57 employees nationwide, including ten assigned to the National Railroad Adjustment Board in Chicago, Illinois. Approximately half of the agency's employees are located at the Board's headquarters in Washington, D.C., and the remainder are stationed at various locations across the country. The principal functions of the agency include the mediation of collective bargaining matters and the resolution of disputes pertaining to employee representation under the Railway Labor Act.

At the time of initial employment, each Board employee is provided with a copy of the Standards of Conduct. Advice regarding the Standards is available from several agency sources, including the Designated Agency Ethics Official. We are not aware of any warnings or adverse personnel actions which have been taken or issued based on violations of the Standards since I became Executive Secretary in 1975.

A copy of the Board's current regulations implementing the Standards of Conduct is enclosed. These regulations are published at 29 C.F.R. §1200.735-1, et seq. Advisory opinions or rulings regarding the Standards generally are obtained from the Office of Government Ethics, although the Board's Designated Agency Ethics Official may also provide advice as appropriate.

I trust that the foregoing information is responsive to your inquiry. Please feel free to contact my office if we can provide any further assistance.

Sincerely,

Rowland K. Quinn, Jr.
Executive Secretary

NATIONAL SCIENCE FOUNDATION
WASHINGTON D C 20550

February 16, 1984

FEB 21 1984



Honorable Don Albosta
Chairman, Committee on Post
Office and Civil Service
Subcommittee on Human Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

As the Designated Agency Ethics Official for the National Science Foundation (NSF), I have been asked to respond to the questions raised in your letter of February 1, 1984.

1. Process and content of the NSF education program:

The Foundation provides education to its employees in several ways. The Division of Personnel Management provides a four-hour orientation that includes an introduction to ethics and employee conduct. This orientation is provided for each employee on the first day of employment at the NSF. Each receives a copy of NSF Manual No. 15, "Conflict of Interests Rules and Standards of Conduct" (hereinafter called Manual 15.) A copy is enclosed for your convenience.

Professional employees are given additional, in-depth guidance at week-long orientation seminars. These sessions are held in the Fall, when most new professionals join the NSF, and at other times as needed. The seminars are designed to provide incoming professionals with an overview of the NSF and to provide an opportunity for questions and answers of the most pertinent areas of responsibility. One half-day is reserved for a representative from the Office of General Counsel to present an overview of employee ethics and conflict of interests. Usually, Mrs. Pettitt, the paralegal and I make the presentation and discuss the provisions of Manual 15. These discussions have proved beneficial. Approximately 25% of the new professionals are "rotators" who will be at the NSF for a year or two and will return to their institutions. These professionals are often assigned to first line responsibility for handling proposals; a few are assigned to supervisory positions. It is imperative that these employees, along with other new professionals, get assistance regarding the acceptable procedures for handling proposal and other matters at the beginning of their

tour with the NSF. We have found this half-day session invaluable. It often leads to private sessions with employees for counselling regarding individual conflict of interest matters.

Part 681 of Manual 15 provides for "Directorate Conflict Officials". These employees have been at the NSF for many years and have responsible positions in their directorates. They provide guidance on "special handling" procedures to be used by directorate employees when processing proposals and awards that involve prospective, current, or recently separated NSF employees or other potential conflicts. Often the Directorate Conflicts Officials seek guidance from me or one of the other ethics counselors in the Office of the General Counsel.

Particular attention is also given to National Science Board members and other Presidential appointees. The General Counsel provides individual and group sessions with such employees immediately before and immediately after they join the NSF.

NSF consultants are given copies of Manual 15 and are provided individual guidance upon request.

2. Process used to enforce Standards of Conduct:

NSF employees receive an annual reminder to reread and review Manual 15. This reminder is given at the time they are requested to file either public disclosure or confidential financial reports. To date we have had neither to take adverse personnel actions nor to issue warnings. We have been successful in reassigning employees or in securing their voluntary relinquishing of professional responsibilities that would result in actual or apparent conflicts of interests. We have not had instances where employees' financial holdings were of concern.

3. Describe any system of advisory opinions or rulings used in addition to those of OGE:

Advisory opinions are provided by the General Counsel, by me, by other members of our staff, and by the Directorate Conflicts Officials. Unlike the OGE advisory opinions, ours are not disseminated throughout the NSF. However, we summarize them and present appropriate examples during the week-long seminar provided for professional employees.

One other source provides advice and rulings: the Office of Audit and Oversight (OAO). The Director of OAO holds a position like Inspectors General at other federal departments and agencies. Each month his staff checks all proposal files for involvement by incoming professional employees Grade 12 and above and by all

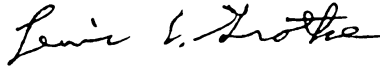
2371

similar former employees for one year after they leave NSF -- also for all rotators and Intergovernmental Personnel Act participants. On an ongoing basis they review a statistically significant sample of all actions on proposals for possible conflicts-of-interest. The worksheets and findings of these checks and reviews are returned for information through appropriate layers of management, including the Directorate Conflicts Official, to the individual Program Managers. In this way all proposal handling officials are kept aware of the ongoing results of these checks and of the corrective action that is required when needed.

The enclosed Manual 15 incorporates descriptive guidelines in the text.

Thank you for the opportunity to respond.

Sincerely yours,

A handwritten signature in cursive script, reading "Lewis E. Grotke".

Lewis E. Grotke
Assistant to the General Counsel

Enclosure

2372

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755

The Honorable Don Albosta
U.S. House of Representatives
Room 1434
Longworth House Office Building
Washington, DC 20515

Serial: AGC/058/84
21 February 1984

Dear Congressman Albosta:

This responds to your letter of 1 February 1984 requesting that we summarize elements of the ethics program at the National Security Agency (NSA).


During initial processing each new employee is provided a copy of the Department of Defense Directive and the implementing NSA regulation covering standards of conduct. They sign an acknowledgement indicating that they have received and read these documents, and that they have attended an oral briefing on the subject. (A copy of the regulations and the employee acknowledgement are attached under Tab A.) New employees are again reminded of the standards of conduct as a part of an orientation course offered to all new hires. Attorneys from my office present a briefing to that class covering many topics with particular emphasis given to standards of conduct.

Several other courses are offered to NSA employees where members of my staff incorporate standards of conduct into their presentations. These courses include programs directed at personnel assigned to the Office of Civilian Personnel, first line Agency supervisors, and a six week seminar for senior intelligence community personnel. A separate course is offered for contracting officers' representatives that also contains a detailed presentation on standards of conduct. In addition to these courses, the Office of Civilian Personnel periodically issues circulars reminding employees of various aspects of the standards of conduct. (A sample of some recent publications is attached under Tab B.)

The enforcement of standards of conduct rests primarily with Agency supervisors, who advise employees on various aspects of proper conduct. Serious violations of standards of conduct are referred to the Office of Civilian Personnel where a staff of four employee relations officers counsel employees and prepare notices of proposed adverse action. Finally, the Office of the General Counsel reviews all proposed adverse actions for legal and procedural sufficiency.

If I may be of further assistance in your review of ethics programs, please feel free to call upon me.

Very truly yours,


JON T. ANDERSON
General Counsel



National Transportation Safety Board

Washington, D.C. 20594

February 10, 1984

Office of the General Counsel
 Honorable Don Albosta
 Chairman
 U. S. House of Representatives
 Committee on Post Office &
 Civil Service
 Subcommittee on Human Resources
 511 House Office Building Annex 1
 Washington, D.C. 20515

Dear Mr. Chairman:

This is in reply to your February 1, 1984 letter requesting certain information on the Safety Board's ethics program.

All position vacancy announcements issued by the Safety Board state that financial interests in certain transportation enterprises are prohibited. This serves to alert prospective employees to potential financial conflicts. Upon appointment to a position with the Board, the new employees are briefed on the standards of conduct and conflict of interest rules. These briefings, coupled with the statement on vacancy announcements proscribing financial interests, help to identify conflicts so that appropriate remedial action can be taken -- divestiture, recusal, or waiver -- and educate employees on proscribed activities and conduct. The Board's employees are also provided with their own copy of our employee handbook which highlights the standards of conduct.

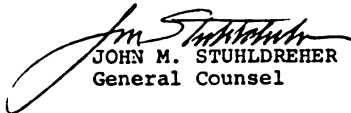
In addition to the initial briefing, we use video tapes prepared by the Office of Government Ethics to train our employees. By memoranda and in articles that are published in our employee newsletter, we have periodically focused on misunderstanding about the conduct and conflict rules or explained particular provisions of the code to our employees. During an election year, for example, employees are reminded of the political activities that are permissible and impermissible for Federal employees.

As you know, certain employees are required to file annual financial disclosure statements. This is another means of insuring that employees are complying with the standards of conduct.

The Safety Board does not issue formal opinions but my office provides counseling services and assists employees in interpreting the various laws. I have been the Board's General Counsel since April, 1980, and there has been no need to initiate any adverse actions or disciplinary actions.

Enclosed are copies of the material you requested.

Sincerely yours,


 JOHN M. STUHLDTREHER
 General Counsel

2374



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

FEB 10 1984

The Honorable Don Albosta
Chairman, Committee on Post Office
and Civil Service
Subcommittee on Human Resources
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This responds to your letter of February 1, 1984 requesting information relating to the ethics program at the Nuclear Regulatory Commission.

The ethics educational program begins before NRC employment commences and continues throughout employment. At the time a job offer is made, NRC sends to the prospective employee a copy of our ethics regulations and a list of the stocks employees are prohibited from owning. During the orientation session held on the first day of employment, the employee is given another copy of the regulations and is read a brief statement which summarizes the major provisions of those regulations. New employees are also given the name and phone number of a Deputy Counselor in the General Counsel's office who is charged with providing advice on ethics matters. The employees are encouraged to call that individual when ethics questions arise.

Each year the General Counsel's office also sends a bulletin to all NRC employees explaining the major provisions of the ethics regulations and reminding employees of their obligations. Some NRC inspectors have been shown training films on ethics matters that were prepared by the Office of Government Ethics, Office of Personnel Management (OPM). Upon termination of NRC employment, profession employees are given a copy of OPM's post-employment regulations.

Employees frequently call the General Counsel's office to obtain ethics advice and are provided oral and written opinions, as appropriate. Many potential problems are raised and resolved through these phone calls.

Other problems are raised and resolved through the Office of General Counsel's (OGC) review of financial statements submitted by employees and consultants. Most of the problems raised by the review are resolved by sending a letter to the employee and his office or division director stating that

the individual is not to participate in matters affecting a named entity.

If OGC determines that a regulation has been violated, it contacts the employee's office director and suggests that appropriate disciplinary action be taken. The office director, after consulting with the OGC, determines what disciplinary action is appropriate.

If information is received that an employee may have violated the provisions of 18 U.S.C. §§ 201-209, the matter is referred to our Office of Inspector and Auditor (OIA). If OIA, after investigating the matter, determines that there may have been a violation of the criminal code, it refers the matter to the Department of Justice.

NRC employees make a concerted effort to comply with the ethics laws and we have had to warn employees or take adverse action only a few times since the agency's creation in 1975. Those actions are summarized in an enclosure to this letter.

I am enclosing a copy of the Commission's ethics regulations and a copy of our procedures for enforcing post-employment restrictions. If you have further questions, please do not hesitate to contact me.

Sincerely,



Martin G. Malsch
Acting General Counsel

Enclosures:

1. Adverse Actions and Warnings
2. 10 CFR Part 0 and Procedures

cc: The Honorable Daniel B. Crane

2376

United States of America
**Office of
Personnel Management**
Office of the General Counsel
Washington, D.C. 20415

Honorable Don Albosta
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Mr. Albosta:

MAR 1 1984

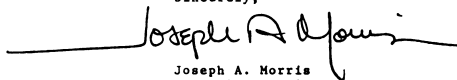
In response to your letter of February 1, 1984, regarding ethics programs in Federal agencies we have enclosed a copy of the Office of Personnel Management (OPM) internal regulations on employee responsibility and conduct (Enclosure A).

This agency incorporates material on the OPM ethics program and employee conduct in its orientation program for all new employees. Additionally, all OPM employees are reminded annually by Employee Letter of the regulations pertaining to ethics and conduct within the agency (Enclosure B). Agency managers and program officials supplement these basic activities with briefings, films, and publications made available by the Office of Government Ethics or other sources. For example, we recently distributed to all OPM group and office heads a memorandum directing attention to General Services Administration regulations prohibiting personal use of airline promotional travel benefits granted as a result of travel on official business. Our Office of Public Affairs is also developing a pamphlet that it is hoped will stimulate employee awareness and interest in the ethics program by highlighting its potential for incentive awards.

Enforcement activity for violations of standards of conduct is carried out by OPM program officials who supervise those guilty of the infractions. Action is instituted in cooperation with and with the assistance of agency ethics officials and the Inspector General. When potential or apparent conflicts of interest have been identified through review of financial disclosure reports or other means, counseling and direction by agency ethics and legal staff usually have been sufficient to resolve problems without recourse to more formal action. When adverse action has been taken, no separate listing has been kept to distinguish these actions from other misconduct or performance failures.

We hope this material is responsive to your needs. If you should require further information on this matter, please let us know.

Sincerely,



Joseph A. Morris
General Counsel



1129 20th Street, N.W.
Washington, D.C. 20527
(202) 653-2920
Telex: 440227 OPIC UI

Congressman Don Albosta
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Albosta:

February 15, 1984

I am responding to your letter of February 1, 1984, on the subject of your review of ethics programs at Federal agencies, and will summarize those elements of our program which you asked me to cover:

1. The educational program of the agency covers (i) the explanation of responsibilities under the ethics program to new employees; (ii) review of responsibilities with current employees in connection with an annual financial reporting obligation; (iii) review of ethics standards in connection with training program on agency operations; (iv) periodic dissemination of information of current importance on ethics matters to employees; and (v) individual counseling prior to termination of employment regarding post-employment restrictions. As a small agency of only 120 full time employees, it has been fairly easy to supplement this with individual counseling to employees and officers regarding responsibilities under the ethics program.

2. The Deputy General Counsel has been assigned the responsibility of monitoring compliance with the ethics standards and counseling employees regarding matters arising under this program. In most cases, problems or problem areas are identified by employees, by supervisors or through the financial disclosure reports. These problems are then addressed in individual counseling sessions with the particular employee. The normal consequence of such counseling sessions involves advising the employee on how a particular problem should be avoided or solved. To my knowledge, adverse personnel actions or warnings have not been issued during the past five years.

3. Enclosed is a copy of our current regulations, which incorporate by reference most of the Federal regulations. Also enclosed is a very general explanation of the subject which we have in the past provided to employees. On the subject of advisory opinions and rulings, because we are a small agency of only 120 full time employees, and most of the issues to date have had unique fact patterns, we have not instituted a formal system of advisory opinions or rulings.

If I can be of further help to you in this matter, please let me know.

Sincerely yours,


Anthony F. Marra
Acting General Counsel

2378



PANAMA CANAL COMMISSION
OFFICE OF THE ADMINISTRATOR

BALBOA
REPUBLIC OF PANAMA

February 10, 1984

The Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your letter of February 1, 1984, requesting information concerning the ethics program of the Panama Canal Commission. As you may be aware, the Commission is a relatively small agency of the Federal government, with 8,000 employees on its rolls, of which only 1,600 are United States citizens. In the agency, only twelve officials are currently required to submit financial disclosure reports.

The ethics program of the Commission is administered pursuant to the provisions of the Ethics in Government Act of 1978 (Public Law 95-521, 93 Stat. 1824) and an Employee Code of Conduct, approved on July 20, 1980 by the Commission's Board of Directors. The Board, composed of five United States citizens and four Panamanian citizens, was tasked, under the provisions of Section 1112 of the Panama Canal Act of 1979 (Public Law 96-70, 93 Stat. 459), with adopting an Employee Code of Conduct containing provisions "substantially equivalent" to those contained in 5 CFR 735. Copies of the Commission's Code of Conduct, published in English and Spanish, are enclosed.

The Commission's education program for employees and officials in regard to the standards of conduct consists generally of the following:

- (1) Each employee received a copy of the Employee Code of Conduct upon its issuance on July 22, 1980. New employees since that date are issued a copy upon their employment.
- (2) The Commission issues periodic reminders to all employees regarding the general provisions of the Code of Conduct and, as required, publishes specific guidelines and instructions on pertinent portions of the Code. Some of the topics addressed in the guidelines and instructions issued to Commission employees since 1980 include: Employee Indebtedness (January 4, 1982), Incidents of Privilege Abuse and other Minor Misconduct (July 20, 1982), and Official Use of Government Vehicles (September 9, 1983).

(3) The Designated Agency Ethics Official personally counsels, instructs or advises those officials who are required to submit financial disclosure reports.

The Panama Canal Commission's oversight concerning compliance with standards of conduct is as follows:

(1) Financial disclosure statements are reviewed annually for possible conflicts of interest.

(2) Employee applications for permission to engage in outside employment are submitted to the agency for approval.

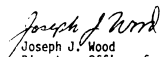
(3) The Commission's Internal Audit Staff investigates complaints and allegations of fraud, waste, abuse and other improper practices.

(4) Day to day controls are exercised by management and supervisory personnel to identify violations of standards of conduct.

Prompt and effective action taken in accordance with prescribed personnel regulations is undertaken to remedy violations of the agency's standards of conduct. When improper conduct is found, necessary corrective action is taken or the matter is referred to the Commission's Personnel Director for appropriate disciplinary or adverse action. Depending on the severity of the offense, the action taken may range from a written reprimand to removal. Attached is a list of adverse personnel actions taken in the past three fiscal years against employees found to be in violation of standards of conduct.

We want to assure you that the Panama Canal Commission is concerned with the proper enforcement of the Ethics in Government Act and with the laws and regulations governing employee standards of conduct. Appropriate measures will continue to be taken to ensure that employees are fully informed of their responsibilities in this regard and of their duty to comply with all pertinent provisions of law.

Sincerely yours,


Joseph J. Wood
Director, Office of
Executive Administration

Enclosures

PEACE CORPS



FEB 21 1984

Honorable Don Albosta, Chairman
U.S. House of Representatives
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington, D.C. 20515

February 15, 1984

Dear Chairman Albosta:

Thank you for your recent letter concerning the Subcommittee's review of ethics programs in Federal agencies.

You have asked for the following information on the Peace Corps' ethics program:

1. An explanation of the process and content of our educational program for employees and officials in regard to the Standards of Conduct;
2. A description of the process we use to enforce the Standards of Conduct with a list of adverse personnel actions taken and warnings issued for violations of the Standards of Conduct;
3. A copy of our current regulations promulgated under 5 CFR 735, a copy of any general guidelines issued on the Standards of Conduct, and a description of any system of advisory opinions or rulings used.

First, as our Standards of Conduct, 22 CFR Part 307, became effective on January 19, 1984, we have not yet completed our educational program regarding these regulations.

On January 30, 1984, all employees subject to the financial disclosure requirements of the Standards of Conduct were advised that they would have to file Statements of Employment and Financial Interests (SOFIs) by February 20, 1984. They were also told to direct any questions about the SOFIs to the Designated Agency Ethics Official (DAEO).

Prior to publication in the Federal Register, these regulations were distributed to all offices in the Peace Corps and comments were sought from all employees. Several clarifying changes and additions were made in the final regulations as a result of those comments.

While most current employees are, therefore, aware of the Standards of Conduct, and all new employees are provided with a copy of the regulations when they enter on duty, we are also contemplating making annual presentations to each office about the major elements of the Standards of Conduct. We have made presentations on an ad hoc basis to groups of employees specifically requesting training in this area, and we will continue to do so.

The regulations provide that all terminating employees be given a copy of the rule which restricts their employment opportunities for one year after leaving the agency. That rule is found in Section 307.735-304.

Second, the Standards of Conduct are enforced in several ways, as follows:

- a. Section 307.735-101 of the new regulations establishes the Peace Corps Committee on Conflict of Interest which is comprised of six senior agency officials who make findings concerning alleged violations and recommend disciplinary action in appropriate cases.
- b. As described in Section 307.735-402, the Designated Agency Ethics Official (DAEO) reviews all SOFIs and forwards the names of listed organizations to the Contracts Division. The names of potential contractors are checked against those of the organizations. Any real, apparent, or potential conflicts of interest resulting from that process are referred to the DAEO, and if necessary, the Committee on Conflict of Interest, for review and resolution.
- c. A master list of all employees required by Section 307.735-401 to file SOFIs is maintained by the DAEO. An employee who believes he or she should not have to submit a SOFI may file a grievance. Any employee who willfully fails to file a SOFI may be referred to the Committee on Conflict of Interest.


While no adverse personnel actions or warnings have yet been issued under the new regulations, in the past the DAEO and the Committee have recommended that contracts proposed to be awarded on a sole source basis be competed to avoid the appearance of a conflict of interest, that employees resign from the Board of Directors of potential contractors, and that organizations associated with agency employees be declared ineligible for particular contracts.

Third, a copy of our new regulations, 22 CFR Part 307, is enclosed. The Peace Corps Manual, a compilation of guidelines distributed to all agency offices, will include the regulations as a manual section.

Rulings issued by the Committee on Conflict of Interest are maintained in confidence by the DAEO. Employees who seek guidance on potential conflicts are advised of prior Committee decisions on point, without identification of the employees involved.

If you need any further information, please let me know.

Sincerely,



Randi J. Greenwald
Assistant General Counsel and
Designated Agency Ethics Official



Pension Benefit Guaranty Corporation :
2020 K Street, N.W., Washington, D.C. 20006

FEB 17 1984

FEB 22 1984

Honorable Don Albosta
Chairman
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex 1
Washington D.C. 20515

Dear Congressman Albosta:

This is in response to your letter concerning the review by the Subcommittee on Human Resources of ethics programs in federal agencies. Specifically, you have asked that we summarize elements of the Pension Benefit Guaranty Corporation's ("PBGC") ethics program relating to the process and content of PBGC's educational program regarding standards of conduct and the process used to enforce those standards. Also, pursuant to your request, we have enclosed a copy of PBGC's regulation on Responsibility and Ethical Conduct of Employees, 29 C.F.R. Part 2602. Please note that the PBGC was reorganized on July 18, 1983, and a number of our regulations, including Part 2602, will be revised or amended to reflect changes caused by the reorganization.

Each new employee or official of the PBGC is furnished with a copy of Part 2602 during orientation when such person enters duty. Thereafter, on an annual basis, employees and officials are furnished copies of the regulation and are required to certify that they understand its provisions. Also, employees are informed annually of the ethics counseling service available to them and of the individuals at PBGC who provide such service. PBGC's counselors are available to all employees on a confidential basis to discuss specific questions or problems concerning ethics and to discuss and explain the provisions of PBGC's regulation. This service is provided, in part, to help employees and officials better understand the standards of conduct applied to them. Aside from these elements of PBGC's ethics program, there is no formal educational program for employees and officials.

With respect to the enforcement of the standards of conduct for employees and officials, the PBGC takes action based on the following types of information: almost half of PBGC's employees are required to file financial disclosure forms. Generally, information on these forms identifies any real or apparent conflicts of interest. Also, on occasion, employees will make specific inquiries to ethics counselors concerning their own situations (i.e., gifts, outside employment, etc.). Lastly, the PBGC has received information

from outside sources which has suggested possible breaches of the standards. In each situation described above, a PBGC ethics counselor will investigate the matter further. After discussions with the affected employee and consultation with the Office of Government Ethics, the Department of Justice, or other relevant agency or concern (i.e., a local bar), and after review of the pertinent laws and/or regulations and the duties of the affected employee, the counselor recommends a course of action to PBGC's Designated Agency Ethics Official. Depending on the type of conduct involved and the facts of the case, the PBGC may require, in the case of a conflict with a financial interest, divestiture, recusal or other appropriate remedy, (i.e., a waiver under 18 U.S.C. 208(b)) and in the case of noncompliance with other standards of conduct, disqualification from, or change in, a particular case or assignment, or disciplinary action (including discharge).

Since its inception in 1974, the PBGC has not needed to take adverse personnel action nor issue warnings based on violations of the standards of conduct, except in the two instances hereafter noted: A written reprimand has been issued to an employee (a copy of which remained in the employee's personnel folder for one year) for conduct unrelated to PBGC duties that violated 29 C.F.R. §§2602.6(f) and 2602.15 (criminal conduct which adversely affects the confidence of the public in the integrity of the government); also, a written warning was issued to an employee who had declined to file financial disclosure information (a proper filing was made following the warning).

I trust that this information will be of assistance to you and the subcommittee.

Yours very truly,



Henry Rose
General Counsel

Enclosure

2384

POSTAL RATE COMMISSION
Washington, D.C. 20268-0001

February 10, 1984

1

The Honorable Don Albosta
Chairman, Committee on Post Office
and Civil Service
Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

FEB 10 1984

Dear Mr. Chairman:

Before describing our ethics program, as requested in your February 1, 1984 letter, it would be beneficial to briefly describe the Postal Rate Commission (PRC). The PRC is a small independent agency with a staff of approximately 70 people including five executive level Commissioners. Unlike other regulatory bodies that oversee numerous entities, our regulatory responsibilities are solely over the United States Postal Service. As a consequence, complex ethical issues do not occur at the PRC with the same frequency as in larger agencies or agencies that have more diversified regulatory responsibilities. In recent years it is our estimate that the staff members responsible for ethics matters have spent in the aggregate six weeks per year on these matters.

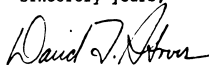
I will now turn to the specific questions raised in your letter. The Commission does not have a continuing formal educational program for employees and officials in regard to the Standards of Conduct. During the first few days of employment, new employees are given the Commission's Standards of Conduct and the Commission's personnel officer reviews the Standards of Conduct with the new employee. The employee is advised to contact the Commission's Ethics Counselor if ethical issues arise. Otherwise, routine communications between the ethics counselor and the staff occur when there are changes in the Standards of Conduct or annually in connection with the filing of financial disclosure reports. Changes in the Standards of Conduct are circulated among the Commission's employees at the time they are proposed and after final action on the proposed changes. Annually with the distribution of financial disclosure statements, the Commission's Ethics Counselor distributes guidelines to employees concerning investments. Also, infrequently when specific circumstances warrant, memoranda are circulated to the staff addressing specific provisions of the Standards of Conduct.

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Except for a few employees who were required to divest themselves of certain stock holdings, during the past five years there have been no adverse personnel actions or warnings issued based on violations of the Standards of Conduct. Section 39 C.F.R. § 3000.735-205 and § 3000.735-405 are the provisions in our Standards of Conduct describing the Commission's powers and means of enforcing the Standards of Conduct. A copy of the PRC's Standards of Conduct is enclosed.

Finally, on an annual basis, the Commission issues "Guidelines For Employees' Financial Interests" to advise employees of the Commission's policies regarding outside investments. A copy of these guidelines is enclosed.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "David F. Stover", written in a cursive style.

David F. Stover
General Counsel

Enclosures

2386

UNITED STATES OF AMERICA
RAILROAD RETIREMENT BOARD
844 RUSH STREET
CHICAGO, ILLINOIS 60611

FEB 15 1984

ASSOCIATE EXECUTIVE DIRECTOR FOR
LEGAL AND ADMINISTRATIVE SERVICES
GENERAL COUNSEL

FEB 13 1984

Honorable Don Albosta
Chairman, Subcommittee on
Human Resources
Committee on Post Office
and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Albosta:

This letter is in response to your request dated February 1, 1984 for information on the ethics program at the U.S. Railroad Retirement Board.

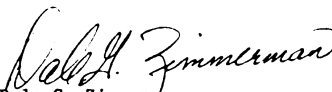
The Standards of Conduct are covered with new employees during their initial orientation when they enter on duty. This is done through a review of the pertinent parts of the agency's booklet "Employee Responsibilities and Conduct".

Each employee receives a copy of this booklet. A review of the Standards of Conduct was included in past meetings of agency managers and has become a part of our training sessions for new supervisors.

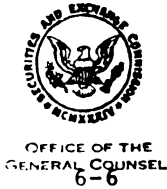
Responsibility for enforcement of the Standards of Conduct rests with agency supervisors and managers. Violations of the standards would be processed under the Board's normal discipline or adverse action procedures.

Enclosed for your information is a copy of the Board's regulations on general Standards of Conduct. Also enclosed is a copy of the booklet, Employee Responsibilities and Conduct.

Sincerely,


Dale G. Zimmerman
General Counsel

Enclosures



SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

February 15, 1984

The Honorable Don Albosta, Chairman
 Subcommittee on Human Resources
 Committee on Post Office and Civil Service
 U.S. House of Representatives
 511 House Office Building Annex 1
 Washington, D.C. 20515

Dear Congressman Albosta:

In connection with a review of ethics programs in Federal agencies by the Subcommittee on Human Resources, you have requested a description of certain elements of the Commission's ethics program. In particular you are interested in (1) the process and content of the Commission's ethics program for employees and officials in regard to the Standards of Conduct; (2) the process used to enforce those Standards of Conduct; and (3) a description of any system of advisory opinions or rulings that are utilized by the Commission to supplement those of the Office of Government Ethics.

The Standards of Conduct promulgated in Executive Order 11222 have been adopted by the Commission as its Regulation Regarding Conduct of Members and Employees and Former Members and Employees of the Commission ("Conduct Regulation"). The current Conduct Regulation was extensively revised in 1980. At that time changes were made which conformed the Commission's rules to the requirements of the Ethics in Government Act 1/, with additional changes made to address specific Commission concerns. 2/ The revision included the addition of commentary to each rule to apprise staff members fully as to the purposes of each of the regulations.

The Commission's ethics program is under the supervision of the General Counsel, who is the Commission's Designated Agency Ethics Official. Day-to-day responsibilities for

1/ See 17 CRF 200.735-5(8), 8(a)(4), 11(a), and 13(c).

2/ See Securities Act Release No. 33-6212, 45 Fed. Reg. 36063-3604 (May 29, 1980) detailing specific changes made in the Commission's Conduct Regulation.

coordinating and managing the Commission's ethics program have been delegated to the Commission's Ethics Counsel. Responsibilities with respect to financial disclosure reports have been delegated to the Commission's Director of Personnel.

In 1980, shortly after the Commission revised its Conduct Regulation, it established the Ethics Counsel position. Simultaneously, it also adopted a Statement of Policy Concerning Internal Inquiries. The Statement of Policy codified the procedures by which the Ethics Counsel would investigate allegations of staff misconduct including possible violations of the Commission's Conduct Regulation.

We have provided the foregoing overview of the Commission's ethics program as background for a discussion of the specific aspects of the Commission's ethics program about which you requested information. The balance of this letter will respond to your specific inquiries.

- I. The Process and Content of the Commission's Educational Program for Employees and Officials in Regard to the Standards of Conduct.

Notice of the contents of the Conduct Regulation is given to employees at the time they are offered a position with the Commission. ^{3/} A copy of the Conduct Regulation is sent to all prospective employees at the time they are notified of their selection. Specific mention of rules regarding securities holdings is made in the selection letter. Persons who accept a position are required to acknowledge in writing receipt of the Conduct Regulation.

Attempts are made throughout the year to maintain employee awareness of the applicability of the provisions of the Conduct Regulation to specific situations. Staff members are advised by their supervisors to consult with the Ethics Counsel with respect to situations which may have ethical implications. ^{4/} As necessary, the Ethics Counsel

^{3/} See First Offer Letter - Included as Attachment A.

^{4/} The Ethics Counsel receives an average of 3-4 telephone and personal inquiries a day.

and the Director of Personnel distribute to the staff memoranda regarding the provisions of the Conduct Regulations. 5/ After the 1980 revision of the Conduct Regulation, a videotape detailing the revised rules was produced. Viewing of the tape was made mandatory for all Commission employees. In addition, in annual visits to regional Commission offices by the senior staff of the Office of Personnel, questions concerning the Conduct Regulation are discussed. Upon leaving the Commission, employees are provided with a memorandum which details their continuing obligations relating to disclosure of non-public information. 6/

Special efforts are made to acquaint prospective members of the Commission and prospective senior employees with the provisions of the Conduct Regulation. Nominees for the positions of members of the Commission are briefed by the Ethics Counsel concerning the specific requirements of the Conduct Regulation. All details regarding financial disclosure, the handling of assets, and dealing with conflicts of interest are worked out prior to a nominee's confirmation hearing. Similar discussions are held with prospective senior employees. Detailed written agreements for dealing with conflicts of interest are executed prior to such persons joining the staff, when previous employment has made the likelihood of significant questions substantial. Detailed memoranda outlining post-employment restrictions and obligations are prepared by the Ethics Counsel for departing Commissioners and senior employees.

II. The Process Used to Enforce Standards of Conduct

As might be expected, the Commission makes a major effort to monitor securities transactions by its employees to ensure that they comport with the restrictions on such transactions included in the Conduct Regulation. As part of this effort, employees are advised to pre-clear securities purchases, securities transactions must be reported shortly after being made, and transactions are reviewed by the Office of Personnel to determine compliance with the rules. Further, all employees are required to file an annual

5/ See Attachment B

6/ See Attachment C

report detailing securities holdings. This is in addition to government-wide requirements for financial disclosure. The Office of Personnel has instituted procedures to ensure that all annual financial reports are, in fact, submitted.

A second area in which the Commission has specific procedures for enforcement of requirements is with respect to post-employment restrictions. To assure compliance with the restrictions, the Commission requires all former employees to notify the Commission's Secretary for two years after leaving the Commission each time they appear before the Commission. 7/ In these letters, former employees are required to state the nature of the representation and affirm that their representation is consistent with the restrictions applicable to post-Commission employment.

While the Commission has no formal procedure for monitoring other provisions of the Conduct Regulation, staff members are encouraged whenever they have questions concerning the provisions of the Conduct Regulation to consult with the Ethics Counsel. Staff members do that routinely on matters involving conflicts of interest, negotiation for employment, permissible outside employment and other facets of the Conduct Regulation. As noted previously, the Ethics Counsel also investigates possible violations of the Conduct Regulation.

You have requested information concerning specific personnel actions taken. The Commission has taken no adverse personnel actions based on violations of the standards of conduct. There was one instance in which an employee was directed to sell securities because such ownership violated Commission rules. The employee promptly sold the securities. There was also an action by a former employee which we believed violated 18 U.S.C. 207(c). In compliance with applicable regulations, we notified the former employee and advised the Department of Justice.

7/ For purposes of this requirement the phrase "appear before the Commission" is construed broadly to mean:

physical presence before the Commission or its employees in either a formal or informal setting or the conveyance of material in connection with a formal appearance or application to the Commission. 17 CFR 200.735-8(c)

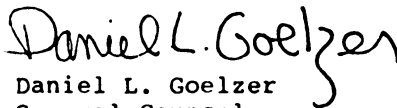
III. Description of Any System of Advisory Opinions or Rulings

The Commission's Ethics Counsel does provide written as well as oral opinions to present and former Commission staff members. To date these opinions have not been compiled into an organized system.

* * * * *

Enclosed in accordance with your request is a copy of the Commission's current Conduct Regulation. If I can assist you further, please do not hesitate to contact either Myrna Siegel, Ethics Counsel (272-2430), or me.

Sincerely,


Daniel L. Goelzer
General Counsel

Attachments

- A - First Offer Letter to Prospective Employees ..
- B - Memorandum to All Staff Members
- C - Memorandum to Employees Leaving the Commission
- D - Commission's Conduct Regulation

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Washington, D.C. 20451

The Honorable
Don Albosta, Chairman
Subcommittee on Human Resources
Committee on Post Office and
Civil Service
U.S. House of Representatives February 23, 1984
511 House Office Building, Annex
Washington, D.C. 20515

Dear Chairman Albosta:

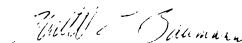
I am writing in response to your letter to me dated February 1, 1984 which requested the following summary information concerning the ethics program at this Agency:

-- The process and content of our educational program for employees and officials at this Agency in regard to the Standards of Conduct consists of display of the Code of Ethics poster and personal contact by me with each new employee who is subject to the financial disclosure requirements to explain the ethics program as it relates to that employee. In addition I personally brief each contractor selection board appointed by the Agency and poll the members on all possible conflicts of interest. My own education on this subject is largely derived from formal Office of Government Ethics (OGE) conferences and issuances and informal discussions with OGE staff.

-- The process used to enforce the Standards of Conduct consists of a thorough review of financial disclosure reports followed by personal contact concerning all possible problem areas and divestiture or change in duties where appropriate, and also discussions with supervisors and employees whenever they or I perceive a possible ethics question. Because of this preventive approach, it has not been necessary to take adverse personnel actions or issue warnings based on violations of the Standards of Conduct.

-- Attached is a copy of this Agency's current Standards of Conduct regulations which are published in Part 606 of Title 22 of the Code of Federal Regulations. We have not issued any other general guidelines on the Standards of Conduct and do not have a formal system of advisory opinions or rulings that we utilize in addition to that of OGE.

Sincerely,



Walter L. Baumann
Designated Agency Ethics Official

2399

**United States
Information
Agency**

Washington, D.C. 20547

MAR 1984

February 17, 1984

Dear Mr. Chairman:

I am responding to your letter of February 1 addressed to Mr. Jonathan W. Sloat. On January 1, 1984 I assumed the position of General Counsel and Congressional Liaison of the United States Information Agency. Please note that we have recently moved and that our current address is;

301 Fourth Street, S.W.
Washington, D.C. 20547

I am enclosing a handout that the Agency gives to every new Foreign Service Officer. It is a copy of part of the Agency's Manual of Operations and Administration (which reproduces our regulations published in 22 C.F.R. Part 10.735).

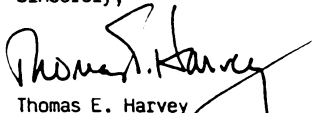
The Agency also sends a letter to all employees who must file a SF 278 on or about April 1 of each year. A copy of the most recent letter is attached. As that copy shows we provide each such employee a reprint of 5 CFR Part 734 along with additional information.

Two attorneys from this office are assigned to review the SF 278 forms and they advise the employee by checking the appropriate box on the form letter attached. There have not been any actual conflict of interest determinations, so no adverse personnel action has been taken or warning issued. Potential conflict of interest problems are advised as indicated on the form letter.

I am enclosing a copy of 22 CFR Part 525 which promulgates the Agency's regulations concerning Administrative Enforcement Procedures of Post-Employment Restrictions.

I trust this information is sufficient for your purpose. Please do not hesitate to contact me or Mr. Richard L. Fruchterman (485-7976) of my Office should you desire any further information.

Sincerely,


Thomas E. Harvey
General Counsel and
Congressional Liaison

The Honorable
Don Albosta
Chairman
Subcommittee on Human Resources
House of Representatives

2400

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON D.C. 20523

FEB 22 1984

The Honorable Don Albosta
Chairman
Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives
Washington, D. C. 20515

FEB 23 1984

Dear Mr. Chairman:

Thank you for your letter of February 1, 1984, addressed to John E. Mullen concerning your subcommittee's review of ethics programs in Federal agencies.

The Agency for International Development educates its employees and officials on standards of conduct through a number of activities. Each new employee and Special Government Employee receives a copy of the Agency's regulations and guidelines on employee responsibilities and conduct at the time he or she enters on duty with the Agency. Annually the Office of the General Counsel issues an agency-wide notice that reminds employees of the standards of conduct and financial disclosure systems; highlights particular areas that have resulted or may result in noncompliance with ethics rules; and informs employees of the availability of counseling concerning all ethics and standards of conduct matters, including post-employment matters. (TAB A)

To further educate managers and supervisors in understanding and implementing the Agency's ethics program, Agency ethics officials meet annually with the Senior officials of the Agency to discuss the standards of conduct of primary concern in AID and to answer questions. This past year the deputy Agency ethics official also met with the managers and supervisors of many of the Agency's bureaus and independent offices to explain ethics standards and to discuss particular areas of interest. At these sessions she distributed copies of a summary of AID's regulations on employee responsibilities and conduct and a summary of the relevant statutory prohibitions of title 18 of the U.S. Code. (TAB B) These sessions will be repeated this coming year.

The Office of General Counsel also periodically distributes to all employees special notices covering particular ethical areas such as the Hatch Act, and the acceptance of gifts by

employees. (TAB C). In addition, this year as part of AID's education program, the Agency ethics official intends to invite a representative from the Office of Government Ethics to talk to the Agency's senior managers about ethical standards and the financial disclosure reports.

The Agency's standards of conduct are enforced in a number of ways. If a particular conflict of interest becomes apparent upon review of an employee's financial disclosure report, the Agency ethics official or his deputy attempts to resolve the matter through changes in assigned duties, divestment by the employee of his conflicting interest, disqualification for a particular assignment or, if necessary, disciplinary action.

When the Office of General Counsel is informed that an employee may have violated the Agency's regulations on employee conduct, the matter is referred to the Office of the Inspector General for investigation. The Inspector General refers his report of investigation to the Office of General Counsel and the Agency's Office of Personnel Management to review for possible disciplinary action.

In 1983 the Agency took disciplinary action against five employees for violations of the standard of conduct regulations. Warnings were issued to nine employees for failure to file their financial disclosure reports in a timely manner. Finally, the Agency ethics official issues written advisory opinions upon the request of employees.

Enclosed is a copy of the Agency's current regulations. (TAB D) These regulations, which are joint regulations for A.I.D., the Department of State and U.S.I.A., are currently being updated.

Thank you for bringing this matter to our attention. Please let us know when this office can be of further assistance.

Sincerely,

Kelly C. Kammerer
 Kelly C. Kammerer
 Director
 Office of Legislative Affairs

Enclosures

2402



GENERAL COUNSEL
Law Department
Washington, DC 20260

FEB 16 1984

February 16, 1984

Our Ref: MO'C:cab
GC130

Honorable Don Albosta
Chairman
Subcommittee on Human Resources
U.S. House of Representatives
511 House Office Building Annex 1
Washington, DC 20515

Dear Congressman Albosta:

This responds to your letter of February 1, 1984, concerning the ethics program of the Postal Service. We are happy to be able to furnish the information which you have requested.

It may be useful to preface our response by describing the situation of our agency. As you know, the Postal Service is an agency of widely dispersed locations. We have more than 30,000 post offices and other facilities, which vary widely in size. The bulk of our nearly 700,000 employees are members of one or another of our crafts, such as clerks, letter carriers and mail handlers, and are represented by several craft unions. Because of our size and the widespread nature of our operations, our organizational structure is necessarily decentralized. For example, there are five postal regions, each headed by a Regional Postmaster General who has on his staff a Regional Counsel. Each Regional Postmaster General, and various other installation heads and heads of organizational elements have been delegated a certain amount of responsibility with respect to the administration of the ethics program. These regional ethics officials may look to the Regional Counsels for assistance in ethical matters. Consequently, the Postal Service not only has an Ethical Conduct Officer with ultimate responsibility for the administration of the ethics program,

but also a substantial number of associate ethics officials who play an important role in the implementation of the program.

These ethics officials are actively engaged in the educational aspects of the program as well as in rendering advice and guidance on particular conduct or conflict questions, and in issuing initial rulings on particular ethical problems which arise within their jurisdiction. An employee may appeal such a ruling to the Ethical Conduct Officer for a final decision. The associate officials also have the authority to enforce the Code by taking (or recommending to the employee's installation head) the appropriate remedial or disciplinary action.

You have requested that we summarize the educational and enforcement elements of the program and provide you with copies of any regulations promulgated, and general guidelines issued, by the Postal Service under the general Standards of Conduct of 5 C.F.R. 735.

The object of our educational program is to make all employees aware of each substantive area covered by the Code of Ethical Conduct for Postal Employees. Principal among the ethical matters addressed in our Code are: the standards of conduct which enlarge upon the code of ethics pronounced in Executive Order 11222, financial and employment-related conflicts of interest, the reporting of financial interests required by the Executive Order and by the Ethics in Government Act, political activities, and other miscellaneous prohibited conduct such as misuse of government property, gambling, bribery, and the use of intoxicating beverages and drugs.

We have a systematic program for instructing new employees in their rights and responsibilities under the Code. This program is part of a uniform Service-wide training and development program which has recently been instituted. The program requires that all newly-hired employees attend a day-long session of general orientation. The material for the orientation, which is prepared and issued by Postal Service Headquarters, provides a structured format which is to be followed by the orientation administrators. As a part of this orientation, each employee receives a copy of the Code of Ethical Conduct and listens to a taped oral presentation which summarizes and highlights the key provisions of the Code. The Code of Ethical Conduct appears as part 447 of title 39, Code of Federal Regulations and is also reprinted in the Postal Service's Employee & Labor Relations Manual, an indexed volume of internal regulations, which is accessible to postal employees throughout the country.

In addition to the written materials which are permanently maintained and made available to all employees, the Postal Service also makes use of various periodical publications to remind employees of particular requirements of the Code. For instance, each year as Christmas approaches we publish an article in the Postal Bulletin, an official periodical having Service-wide circulation, explaining the Code's requirements with respect to the acceptance of gifts and associated subjects. Each election year, if not more often, we publish a similar article on the restrictions against political activity. We also publish articles on various aspects of the Code in general interest publications, such as Postal Life and Postal Leader, which are received by nearly every postal employee or manager. We are currently planning a series of articles to appear in these latter publications in the near future on ethical subjects such as the misuse of government property, political activities, and the falsification of travel vouchers. Each postal region also publishes a Regional Bulletin which is available to employees in the region. Articles on various aspects of the standards of conduct appear regularly in these publications as well.

In addition to these publication efforts, we have devised a continuing education program for certain key categories of postal employees. The emphasis of our standards of conduct, like that of the Executive Order on which they are based, is on the avoidance of financial conflicts of interest. Since it has seemed to us that the persons most likely to be subject to conflicts of this nature are those in contracting and similar positions in which their actions in behalf of the Postal Service can be expected to have an impact on private economic interests, we have focused our formal ethical training program primarily on the employees in our Procurement and Supply, Real Estate and Buildings, and Law Departments and on the staff members of our Regional Counsels. We have made refresher presentations to these employees recently in which we used videotaped material prepared by the President's Council on Efficiency and Integrity. Our Regional Counsels also customarily include a presentation of ethical topics in the agenda for the regional meetings of Procurement and Real Estate and Buildings personnel, postmasters, and district managers, which are held periodically throughout the year. We have made this videotaped material available to other organizational elements and plan to continue making these presentations.

We also provide detailed guidance by way of instructional memoranda on the proper filing of financial disclosure reports to the approximately 300 postal executives who must file the

public financial statements required by the Ethics in Government Act. In addition, we provide counseling on financial reporting to these executives as they enter and leave a covered position. This past year, we issued a memorandum of advice to all senior employees on the restrictions placed on post-employment activities by the Ethics in Government Act.

We encourage all Postal Service ethics officials to attend ethics training programs. Members of my staff have recently attended seminars on ethics and professional conduct offered by the Department of Justice's Office of Legal Education and have received training in the review of financial disclosure reports from the staff of the Office of Government Ethics. The Regional Counsels and members of their staffs also attend the national and regional ethics training conferences which are conducted by the Office of Government Ethics.

We turn now to the enforcement element of our program. All postal employees are subject to remedial and disciplinary actions for violations of the Code. Our regulations also provide that whenever a possible conflict of interest comes to the attention of an ethics official, that officer shall ascertain whether a conflict, or the appearance of one, exists and see that the appropriate remedial or disciplinary action is taken. In practice, the assistance of the Inspection Service is often sought in making the determination whether the standards of conduct have in fact been violated. At the ethics official's request, the Inspection Service will conduct a formal investigation.

The Inspection Service, as the investigative arm of the Postal Service, also performs important audit functions which have proven useful in uncovering internal misconduct and inefficiency. Information concerning violations of the Code of Ethical Conduct may come to the Inspection Service independently during the course of these various internal audit functions and through third-party complaints.

We are unable to provide the requested list of adverse personnel actions taken and letters of warning issued based on violations of the standards of conduct, because we do not have a centralized system of record-keeping for disciplinary actions. Adverse personnel actions within the Postal Service, ranging in severity from the letter of warning to dismissal, number in the thousands per year. Further complicating the record-keeping is the fact that disciplinary actions typically are not based exclusively on violations of the Code of Ethical Conduct. A notice of charges against an employee may contain a reference to a criminal statute, a postal regulation, to one or

more provisions of the Code of Ethical Conduct, and to the underlying misconduct, or to any combination of these, depending on the nature of the conduct. We are not aware of many disciplinary actions which have involved a substantial violation of the standards of conduct.

We should note in this connection that the standards of conduct are so broad that there are many forms of misbehavior which come within their substantive terms but which do not relate to the principal thrust of the ethics program, which is, of course, the avoidance of financial conflicts of interest. These other forms of misbehavior are usually effectively handled through disciplinary actions which rarely, if ever, come to the attention of ethics officials.

The overwhelming emphasis in the administration of our enforcement program is on bringing employees into compliance with the Code rather than on punishment for violations of it. To this end, we consider that the advisory services provided for in our regulations have been an effective tool. These services are available to employees from ethics officials at the regional and Headquarters levels, and postal employees are encouraged to use the services. The services include informal guidance and counseling as well as formal advisory opinions tailored to the specific circumstances of an employee's inquiry. Our Regional Counsels render a substantial number of opinions in response to these inquiries every year. Initial inquiries as well as appeals from the rulings of the Regional Counsels are also handled by members of my staff. These opinions frequently result in the discontinuance on the part of employees in prohibited conduct and in the disposition of conflicting financial or employment-related interests.

We have enclosed a copy of the Code of Ethical Conduct for Postal Employees as set forth in 39 C.F.R. Part 447. We are in the process of a comprehensive review of these regulations and have proposed extensive revisions in an effort to update them and to make them as agency-specific as possible. Included among the proposed revisions are new procedures for administrative enforcement of restrictions on post-employment activities, a new section governing the filing of public financial reports, and clarifying changes to the section which governs the filing of confidential financial statements. We expect to be in a position to publish the revisions in the Federal Register in the near future and would be happy to provide you with a copy as soon as the new regulations are available.

Because our regulations are intended to be agency-specific, we have not thought it necessary to issue separate guidelines. As we have noted above, the Regional Counsels issue a substantial number of ethical conduct opinions and rulings in response to employee requests for advice. My office also issues opinions in response to individual employee and management requests. I also render final rulings in appeals brought from opinions issued by other ethics officials. The majority of these opinions concern questions of employment-related conflicts.

We hope that the foregoing provides you with useful information concerning the ethics program of the Postal Service. We will be pleased to provide you with any additional assistance you may require.

Sincerely,

A handwritten signature in cursive script, reading "W. Allen Sanders", followed by a horizontal flourish.

W. Allen Sanders
Associate General Counsel
Office of General Law
and Administration
Law Department

2408

United States Railway Association

955 L'Enfant Plaza North, S.W.
Washington, D.C. 20595

FEB 8 1984

February 6, 1984

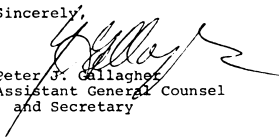
Honorable Donald J. Albosta
Chairman
Committee on Post Office and Civil Service
Subcommittee on Human Resources
U. S. House of Representatives
511 House Office Building Annex 1
Washington, D.C. 20515

Dear Representative Albosta:

The United States Railway Association is a government corporation created by the Regional Rail Reorganization Act of 1973, as amended, 45 USC 701 et seq., whose employees are not employees of the Federal Government.

The Association provides each employee a copy of the attached United States Railway Association - Employee Responsibilities and Conduct upon entering on duty. The Association also adheres to the financial disclosure requirements of the Ethics in Government Act. The Association since its creation in 1974 has had a small number of employees and enforcement of the Association's Employee Responsibilities and Conduct has been carried out on a case-by-case basis. A review of Association records indicates that there have been only four known instances where the standards have been breached. In each case employment with the Association was terminated either by resignation or discharge.

Sincerely,


Peter J. Gallagher
Assistant General Counsel
and Secretary

Attachment

2409



United States Synthetic Fuels Corporation

2121 K Street, N.W. Washington, District of Columbia 20586 Telephone: (202) 822-6600

February 10, 1984

FEB 10 1984

Honorable Don Albosta, Chairman
Committee on Post Office and Civil Service
Subcommittee on Human Resources
511 House Office Building Annex #1
Washington, D.C. 20515

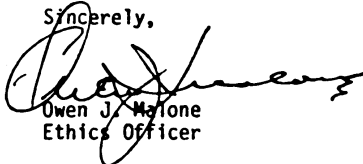
Dear Mr. Chairman:

This acknowledges your letter of February 1, 1984 concerning the Subcommittee's review of federal agency ethics programs. I am pleased to respond.

As you may know early in January 1984, Common Cause, which is also engaged in such a review, circulated a rather comprehensive questionnaire for use by participants in their review. Our responses to the questionnaire, which is enclosed, cover essentially the same matters addressed in your letter. As requested, I am also enclosing a copy of the Corporation's Board-approved Policy on Standards of Conduct. Parts 4 and 6 of the Policy (relating to Executive Personnel Financial Disclosure and Post Employment Restrictions) were approved by the Office of Government Ethics prior to their approval by our Board of Directors.

I trust that the information provided in the questionnaire and our Policy is responsive to the Subcommittee's request. If I can be of additional assistance, your staff should feel free to contact me at (202) 822-6336.

Sincerely,



Owen J. Malone
Ethics Officer

Enclosures

OM/lr

2410

Office of General Counsel Washington D.C. 20420

**Veterans
Administration**

FEB 13 1984

FEB 13 1984

In Reply Refer To: 023

Honorable Don Albosta
Chairman, Committee on Post Office
and Civil Service
Subcommittee on Human Resources
511 House Office Building, Annex 1
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to answer your request for a description of elements of the Veterans Administration (VA) Ethics program and our actions to maintain the Agency's Standards of Ethical Conduct and Related Responsibilities for employees. The VA Standards of Conduct are published at 38 C.F.R. Part O, and in Chapter 735 of VA Manual MP-5, Part I. (See enclosures A and B).

VA efforts to educate its employees on the standards, and to maintain employee sensitivity to them, have taken several forms. Each newly appointed VA employee receives a detailed letter summarizing the conduct regulations. Currently, a new VA Employee Handbook, which features prominently a discussion of employee rights and responsibilities under the standards of conduct, is being developed for general distribution (see enclosure C). The Handbook will also be included (instead of the Employee Letter) in the orientation materials distributed to new employees. Recurring messages to employees, in the form of VA Inspector General (IG) "Fraud Watch" bulletins or "Alert" bulletins, are published periodically, each focused on one particular aspect of employee conduct (see enclosure D). We collaborate and cooperate with the IG in developing these documents.

We also encourage all employees, and especially supervisors and those serving as counselors, to receive available training on ethics matters. We apprise Personnel Officers and District Counsels in the field stations of ethics training provided in their area by the Office of Government Ethics (OGE) and encourage them to attend. My office has received training from the OGE and the Department of Justice on ethics issues and always participates in ethics conferences held annually by OGE. An important part of each District Counsel conference is a session on ethics designed to keep the District Counsels current on

ethics issues. (District Counsels are designated, of course, as deputy ethics counselors in our advisory service program.) Such conferences occur at eighteen month intervals. Last August, we arranged for the Director of the OGE to address a special conference of attorneys from each of our District Counsel offices on conflicts of interest.

But the formal training and published VA materials are essentially only supplements to the affirmative accountability that VA imposes on supervisors for keeping workers cognizant of the conduct regulations. By express policy, VA makes management responsible for annually reminding employees under their jurisdiction to review the conduct regulations. The Agency, also by express policy, requires supervisors to issue reminders to employees about the conduct regulations as necessary and take corrective action when the rules are violated. Published policy also mandates that supervisors direct employees to the VA interpretation and advisory service when warranted.

The interpretation and advisory service, established by Agency regulation, has both an educational and a preventive role. Through the service, an employee can receive an objective and informed view from designated deputy ethics counselors throughout the VA system about the ethical implications of any situation affecting him or her. We find that employees take advantage of the advisory service rather frequently, and we believe they have confidence in it.

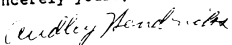
These same deputy ethics counselors routinely speak on ethics issues to groups of agency employees at our facilities around the country, as well as advising individuals. Both the ethics counselors within our District Counsel network and my own immediate staff also generate formal legal opinions that provide specific guidance case-by-case. Our precedent files of prior opinions serve as a resource for resolving some individual cases, but each situation deserves review on its own merits. Though our formal opinions often advise employees and/or managers of legal implications before they must make crucial decisions, we also from time to time must analyze conduct that has already occurred. Whether the advice being sought is written or oral, prospective or after the fact, we more often than not find ourselves consulting closely with the Office of Government Ethics.

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When either we or agency supervisors find that employees have breached VA standards of conduct, adverse or disciplinary action typically ensues. Our office frequently helps management select the appropriate measure and assists in litigation that arises from disciplinary decisions. Adverse actions, virtually all of which are grounded on breaches of the VA conduct regulations, totalled about 545 during calendar year 1983. Though we keep no agency-wide records on non-"adverse," less severe disciplinary actions, I would estimate that substantially more than 100 admonishments or reprimands were issued in VA last year.

In sum, VA policy and practice give appropriate emphasis to employee ethics and standards of conduct. Let me know if I can provide any further help.

Sincerely yours,



AUDLEY HENDRICKS
Assistant General Counsel
(Designated Agency Ethics Officer)

Enclosures



United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

In accordance with the Subcommittee's request as transmitted by Ms. Lowenthal's memorandum of May 16, the Department has reviewed the documents proposed for publication in a Subcommittee report.

We have identified the documents received with the Subcommittee's memorandum as copies made from material included in volumes published in Iran, allegedly containing documents obtained in the seizure of the American Embassy at Tehran. The Department is not in a position to confirm whether the contents of those volumes, including the documents forwarded by the Subcommittee, are authentic official documents.

The Department has no objection to publication of these documents in the Subcommittee's report.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Tapley Bennett, Jr." with a stylized flourish at the end.

W. Tapley Bennett, Jr.
Assistant Secretary

Legislative and Intergovernmental Affairs

Honorable Don Albosta
Chairman, Subcommittee on Human Resources
Committee on Post Office and Civil Service
House of Representatives.

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